

**Security Council**Distr.: General
15 April 2014

Original: English

**Report of the Secretary-General on the African Union-
United Nations Hybrid Operation in Darfur****I. Introduction**

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 2113 (2013), by which the Council requested me to report every 90 days on the implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). The report provides an update and analysis of the conflict and the political and operational environment in Darfur. It also includes updates on the achievements and measures undertaken by the Mission to implement the strategic priorities outlined in my special report of 25 February 2014 (S/2014/138) and, as requested by the Security Council in its resolution 2148 (2014), and on progress in the strengthening and streamlining of the operations of UNAMID.

**II. Overview of conflict dynamics, political context, and
operating environment in Darfur****A. Analysis of the current trends and conflict dynamics in Darfur**

2. An upsurge in violence is currently destabilizing Darfur at three interconnected levels. First, the deteriorating economic situation has led to increasing conflict among tribes over land and resources. Those conflicts have, in some areas, been manipulated (especially in North and South Darfur) by unresolved political rivalries among prominent political figures. Second, the deployment to the region of Government aligned militia, known as Rapid Support Forces, has seriously undermined the security of civilians, their property and livelihoods, particularly in South Darfur and increasingly in North Darfur. Third, the security situation continues to be aggravated by attacks by rebel groups against Government forces and indiscriminate bombardments by the Sudanese Armed Forces in areas of rebel control.

Local violence and intercommunal conflict

3. Intercommunal violence during the reporting period included clashes between Misseriya and Khozam and between Salamat and Misseriya in Central Darfur;



between Rizeigat and Ma'alia in East Darfur; and between Abbala of the Northern Rezeigat tribe and Gimir and Tama in North Darfur.

4. The most serious case of intercommunal violence occurred on 18 February when Salamat and Misseriya, two Arab tribes, clashed in Salih village, in the vicinity of Um Dukhun in Central Darfur, after the killing of a Misseriya tribesman. The violence resulted in 28 deaths, mostly of Salamat tribesmen. The deterioration in security in Um Dukhun following this incident led to displacement of approximately 5,000 civilians who fled to Chad, and 10,000 who fled to camps for internally displaced persons in South Darfur. Many civilians from other tribes, mainly Masalit, Zaghawa and Fur, were affected as the clashes spread to Rihad El Berdi in South Darfur. In South Darfur, the Ta'aisha, another Arab tribe, attacked the Salamat in support of the Misseriya. Paramilitary forces and Arab militia, recruited as Janjaweed militia in the early years of the conflict, were reported to have taken part in the fighting. Intervention by the Government of the Sudan in some flashpoints and mediation efforts undertaken by traditional leaders in January and February helped quell tensions and prevent further escalation. However, there is a high risk that continued hostility between the two tribes could, at any time, escalate into armed conflict.

5. In North Darfur, political rivalries between Musa Hilal, one of the main Arab militia leaders during the early years of the Darfur crisis, and Osman Kibir, the Governor of North Darfur, led to serious conflict during the reporting period. Tensions spread when Musa Hilal accused Kibir of using his government position to benefit non-Arab tribes, including Tama, Berti and Gimir, to consolidate his personal influence in the State.

6. Fighting broke out in February and March, pitting communities allied to Musa Hilal and Osman Kibir against each other. On 28 February supporters of Musa Hilal ambushed a military convoy deployed by the Governor in the Karama area. Fifteen soldiers were reportedly killed, and a number of vehicles of the Sudanese Armed Forces were destroyed. Prior to the attack, commissioners appointed by the Governor of North Darfur were chased out of the area of Saraf Umra, Kabkabiya and Jebel Amir at the instigation of Musa Hilal. Sporadic and intense clashes between Hilal's supporters among the Northern Rizeigat militia and other tribes, particularly Tama and Gimir, in Saraf Umra and surrounding villages between 3 and 8 March, resulted in the displacement of an estimated 50,000 people and an unspecified number of casualties. An additional 10,000 people were reported to have fled to various locations in North, Central and West Darfur. The fighting is reported to have led to the destruction and looting of more than 2,000 houses in Saraf Umra and adjacent towns. An agreement on cessation of hostilities, facilitated by a local peace committee and the Government of the Sudan, was signed between the Northern Rizeigat and Gimir on 12 March, allowing for the safe return of displaced persons to their homes.

Deployment of the Government Rapid Support Force

7. The arrival of 5,000 to 6,000 militia, known as the Rapid Support Force, in South Darfur from North Kordofan via East Darfur on 19 February intensified the already volatile security situation. The Rapid Support Force, whose members were reportedly recruited by the Government from tribes in Darfur and trained in Khartoum, were initially deployed to South Kordofan and Blue Nile States to fight

the Sudanese People's Liberation Movement-North (SPLM-North). The redeployment followed alleged criminal acts against the local population in those States.

8. The deployment of the Rapid Support Force coincided with a series of large-scale attacks on armed groups and villages in South then in North Darfur. Attacks attributed to the Rapid Support Force included the targeting of civilians, the destruction and burning of villages, looting of property and theft of livestock. On 19 and 27 February, operations led by the Rapid Support Force in support of the Sudanese Armed Forces in Um Gunya village in South Darfur resulted in the displacement of approximately 30,000 people from Um Gunya and Hijaar to camps for internally displaced persons in El Salaam, Kalma and Labado. Violence continued in the area south of Nyala on 27 and 28 February, when elements of the Rapid Support Force attacked and burned the villages of Higer, Tunjo, Um Gunya, Tami Telebe and Himeida.

9. Attacks by the Rapid Support Force carried out later in North Darfur appear to follow a similar pattern. Nine attacks on villages and communities by suspected members of Rapid Support Force were reported in North Darfur. Between 21 and 27 March, 40 villages in the vicinity of Korma were attacked by a combined force of elements of the Rapid Support Force and militia groups, forcing some 25,000 people from their homes, including 4,000 who sought refuge at the UNAMID base in Korma. The attacks by the Rapid Support Force/militia in North Darfur included acts of rape, looting and burning of houses.

10. On 22 March, the camp for internally displaced persons in Khor Abeche was attacked, looted and burned by elements of the Rapid Support Force. About 4,000 persons sought refuge at the Khor Abeche UNAMID team site. In Baashim village in North Darfur (60 km north-east of Mellit), the Rapid Support Force conducted a retaliatory raid on 23 March, following the attack on 13 March by the Sudan Liberation Army-Minni Minawi (SLA-MM) on a Government base. Acts of rape, looting of property and burning of houses were reported. Local sources reported that on 28 March, elements of the Rapid Support Force attacked Amary village in North Darfur (65 km north-east of Kutum) and killed two civilians, while looting property and burning houses.

11. In addition to attacks against civilians, elements of the Rapid Support Force have clashed with Government forces. On 18 March, an exchange of fire occurred between elements of the Rapid Support Force and the Sudanese Armed Forces at a checkpoint near El Fasher. On the same day, in the Al Borsa area in the vicinity of El Fasher, armed men alleged to be members of the Rapid Support Force clashed with Government police resulting in fatalities on both sides. It is difficult to establish the motives behind these incidents which may not necessarily reflect a breakdown in the alliance between Government forces and the Rapid Support Force.

Clashes between Government forces and armed groups

12. Clashes between the Sudanese Armed Forces and rebel groups also increased during the reporting period. In Central Darfur, the Sudan Liberation Army-Abdul Wahid (SLA-AW) attacked a Government-escorted commercial convoy in Fogadiko on 9 January. Authorities reported that 12 attackers were killed and 9 injured. In South Darfur, combined forces of SLA-MM and the Sudan Liberation Movement for Justice (SLA-Justice) attacked a Central Reserve Police base in Al Sunta village on

13 January, killing 13 personnel. Over 50,000 people from the affected areas were displaced to several camps for the internally displaced in the Sani Deleiba area. Persistent efforts to access the areas directly affected were consistently denied by the Government. On 4 March, an attack on a Sudanese Armed Forces camp in El Taweisha resulted in 30 personnel killed and 30 injured. Suspected SLA-MM elements subsequently attacked Delbah village on 22 March, where they were engaged by Sudanese Armed Forces. Eight civilians and an undetermined number of SLA-MM fighters were killed, and 18 houses were burned.

13. Clashes moved to North Darfur in early March when SLA-MM attacked the towns of El Laeit and El Taweisha. On the same day, joint Chad-Sudan Forces thwarted an attack in Olibade by an SLA-MM splinter group, arresting five attackers and seizing one vehicle. SLA-MM allegedly attacked Kalemendo locality in North Darfur on 5 March, forcing an unspecified number of inhabitants to flee. On 13 March, elements of SLA-MM attacked a Sudanese Armed Forces base in Mellit, reportedly killing 50 personnel and 18 civilians. The attackers looted Mellit market and freed prisoners before withdrawing the following day. Joint Sudanese Armed Forces/Rapid Support Force subsequently regained control of Mellit. On 17 March, elements of the Sudanese Armed Forces and Rapid Support Force jointly attacked SLA-AW positions at Fanga Suk in Central Darfur (75 km northeast of Nertiti), looting and burning shops in the local market. On 20 March, SLA-MM attacked Haskanita, El Laeit, Jar Elnabi and El Taweisha (North Darfur), leading to the displacement of some 85,000 persons in El Daien.

B. Humanitarian situation

14. The escalation of the conflict caused a further deterioration of the humanitarian situation in Darfur. Approximately 250,000 people are estimated to have fled violence since February, close to 200,000 of whom remained displaced at the time of the writing of the present report. This number is higher than the number of people displaced in 2011 and 2012 combined, and is about half of the number of persons displaced in 2013. In total, Darfur is now estimated to host over 2 million internally displaced persons.

15. Securing timely access to newly displaced people has been a challenge, but by late March, over 130,000 people had been reached. In some cases, specific agencies were granted expedited access, allowing for rapid delivery of food and health supplies in some areas. Humanitarian partners were also able to scale up emergency response in established camps for the internally displaced by using contingency stocks, particularly in South Darfur.

16. Access to areas of active hostilities has been extremely limited, however. This has affected both to deliver humanitarian assistance and the ability to provide services. Partners were unable to reach several areas in North Darfur which were believed to be hosting newly displaced persons or those villages worst affected by violence in South Darfur, which generated the influx of newly displaced persons into camps around Nyala. Humanitarian access to the Jebel Marra area has remained cut off, and the Adilla and Abu Karinka localities in East Darfur have not been reached since inter-tribal fighting broke out in the area in August 2013. Humanitarian actors continued to call for unhindered access to all areas at several

levels. The movement restrictions imposed on UNAMID also affected United Nations humanitarian agencies requiring armed escorts.

17. Funding and implementation capacity challenges also continued and were compounded by the suspension of the operations of key humanitarian partners and denial of travel permits for others. Humanitarian protection activities have been tightly controlled. This is of great concern in the light of reports of multiple direct attacks on civilians and civilian infrastructure during the reporting period.

18. The increased volatility in the security situation has led to amplified threats to humanitarian actors. The most frequent target of robbery and attack has been the World Food Programme (WFP). In January, a WFP office in South Darfur was robbed twice, and a WFP-contracted truck, along with food items, was carjacked in North Darfur. In February and March, WFP warehouses in El Fasher, which serve as a major hub of the agency's humanitarian operations for West, Central and North Darfur, were subjected to three robberies and two attempted robberies, and a WFP-contracted truck was looted in Central Darfur. On 16 March, UNAMID peacekeepers repulsed an attack by unidentified persons on the warehouse in El Fasher. On 18 March, a mortar shell, fired by unidentified persons, landed and exploded inside the warehouse in El Fasher, injuring one security guard. The following day, two items of unexploded ordnance were discovered inside the premises. Sudanese authorities were notified, and UNAMID deployed additional troops to guard the facility.

19. The offices of two international non-governmental organizations were also robbed in January in Nertiti, Central Darfur, the second such incident within a three-month period. Such incidents continue to create significant additional complications for the delivery of humanitarian assistance in Darfur.

C. Operating environment

20. UNAMID and humanitarian actors continued to face substantial operational obstacles to the implementation of the Mission's mandate and programme delivery, including insecurity, criminality and restricted movement by Government forces and armed groups.

21. Restrictions were most often imposed by local officials in areas of ongoing or recently concluded hostilities between Government and armed movement forces. Officials also used bureaucratic impediments, particularly in relation to the provision of permits for the United Nations country team, to restrict access to certain areas. Between 1 January and 1 April, UNAMID land movements were restricted on 72 occasions, compared with 35 restrictions in the previous reporting period. Restrictions were highest in South Darfur. The authorities also denied 72 of 4,386 planned flights compared with 501 of 4,637 in the previous period. The Mission brought these restrictions and denials of access to the attention of the Government of the Sudan.

22. In January and February, 33 requests for military escorts for humanitarian assessment and delivery missions were made to UNAMID by United Nations agencies. Of these, three requests were cancelled by the National Intelligence and Security Services and by the Humanitarian Aid Commission without explanation. Three requests were also cancelled by the Mission due to troop rotations.

23. During the reporting period, a total of eight carjacking incidents targeting vehicles of UNAMID and humanitarian personnel occurred. Forty-seven house break-ins and robberies targeting UNAMID and humanitarian personnel were recorded during the period. Of the 47 incidents, 28 occurred in North Darfur, 12 in South Darfur, five in Central Darfur and two in West Darfur.

24. A UNAMID military logistics patrol was disarmed by unidentified assailants on 8 February at Saiyain in North Darfur. Three vehicles, 37 small arms, 4 light machine guns, unspecified quantities of ammunition and assorted battle gear were taken. The Department of Peacekeeping Operations dispatched an investigation team to Darfur from 6 to 11 March to determine the circumstances of the incident and make recommendations to mitigate further hostile attacks against United Nations personnel.

25. A number of additional mitigation measures were initiated by the Security Management Team to reduce the exposure of staff to security threats. These included, among others, enhanced convoy escorts, static armed guards, review of the minimum operating security standards and minimum operational residential security standards with regard to convoy movements, improved security for office accommodations and residential houses, physical security and enhanced quick response mechanisms. Moreover, the joint security coordination mechanism with the Government security authorities has been strengthened.

III. Achievements and impact of the Mission

26. In its resolution 2148 (2014), the Security Council endorsed three main priorities for UNAMID identified by the strategic review of the Mission, namely: mediation between the Government and non-signatory armed movements on the basis of the Doha Document for Peace in Darfur, while taking into account ongoing democratic transformation at the national level; the protection of civilians, the facilitation of the delivery of humanitarian assistance and the safety and security of humanitarian personnel; and support to the mediation of community conflict, including through measures to address its root causes, in conjunction with the United Nations country team. During the reporting period, the mission's activities have been focused on those priorities.

A. Inclusive peace process

27. Efforts towards an inclusive peace process include the continued high-level engagement of the Joint Chief Mediator, Mohamed Ibn Chambas, with the parties for direct negotiations as well as the facilitation role of UNAMID in the implementation of the Doha Document for Peace in Darfur.

High-level mediation

28. The Joint Chief Mediator continued efforts to bring the parties closer to agreement on direct negotiations despite the persistent divergence of views between the Government and the non-signatory armed groups on the way forward. In spite of the Government's repeated expressions of readiness for direct negotiations, two key obstacles remained. The armed groups continued to press for a comprehensive,

national process to address Sudan's challenges, rejecting the Doha Document for Peace in Darfur as a basis for talks, and continued to insist upon entering negotiations with the Government as the Sudanese Revolutionary front, formed in September 2011 with SPLM-North.

29. Pursuant to the mediation mandate of UNAMID and the African Union-United Nations Framework for Peace in Darfur, the Joint Chief Mediator engaged the Government and the armed movements separately, urging the non-signatory movements to join the peace process on the basis of the Doha Document without pre-conditions. In those consultations, the armed movements committed themselves to a negotiated settlement of the conflict and the preservation of the territorial integrity and unity of Sudan. The Government maintained its objection to any parallel peace process.

30. On 27 January, President Omer Al-Bashir, in a speech to the National Assembly, announced that his Government planned to initiate an all-inclusive national dialogue which would focus on peace and security; political reforms and democratization; economic reforms; and national identity. The announcement was welcomed by the international community and many Sudanese, including some opposition political parties that have committed to participating in the national dialogue. The positions of some members of the National Consensus Forces, a loose alliance of opposition parties that signed the New Dawn Charter with the Sudanese Revolutionary Front in January 2013, have changed, with some calling for a transitional government to precede the national dialogue and an independent body to oversee the process. The Government has announced security guarantees for the participation of the armed movements, including freedoms of association, assembly and press. However the modalities remain vague, and several political opposition parties have expressed scepticism about the Government's commitment to a genuine process.

31. Following that announcement, on 10 and 11 February in Kampala, the Joint Chief Mediator met the leaders of the three armed movements, including Minni Minawi, Gibril Ibrahim and, for the first time, Abdul Wahid. During the meeting, the Joint Chief Mediator encouraged the three leaders to participate in the national dialogue. The movements' leaders, who had advocated a holistic approach, welcomed the idea of a national dialogue as a positive step, but fell short of committing to participate and announced their intention to unveil their own proposals for a national dialogue.

32. Subsequently, the Joint Chief Mediator arranged a meeting on 8 March in Addis Ababa between the leaders of two of the armed movements, Minni Minawi and Gibril Ibrahim. The African Union Commission Chairperson, Nkosazana Dlamini Zuma, and the African Union Commissioner for Peace and Security, Smail Chergui, also attended. They encouraged the armed movements to enter into direct negotiations with the Government of the Sudan and to fully participate in the national dialogue. On the same day, the Chairperson of the African Union High-level Implementation Panel, Thabo Mbeki, and the Joint Chief Mediator met jointly with the armed groups to explore ways to synchronize the two mediation efforts in support of the national dialogue.

33. Further to his engagement to facilitate the peace process in Darfur, the President of Chad, Idriss Déby Itno, initiated a second mediation forum in Um Jaras from 26 to 29 March. The forum was attended by, among others, Zaghawa leaders,

Sudanese Vice-President Hassabo Mohamed Abdul Rahman, the Joint Chief Mediator, and traditional and tribal leaders from the Rizeigat, Massalit, Ma'alia, Salamat and Ta'isha tribes. President Bashir joined the forum on 29 March. The forum ended with the participants' announcement of their full support for peace and peaceful coexistence in Darfur. The participants praised the role of Chad and Qatar in achieving comprehensive peace through sponsoring and supporting the Doha Document for Peace in Darfur, noting the financial contribution of Qatar to development projects and voluntary return to villages in Darfur.

Implementation of the Doha Document for Peace in Darfur

34. Progress in the implementation of the Doha Document for Peace in Darfur by the Government of the Sudan, the Liberation and Justice Movement (LJM) and the Justice and Equality Movement-Sudan (JEM-Sudan) remains limited. Following the agreement on final security arrangements, signed on 20 November 2013, the Government of the Sudan and LJM agreed, at a meeting of the Joint Commission held on 25 February, to integrate three LJM battalions into the Sudan Armed Forces and Police. The remaining 12,570 of the 15,000 combatants declared by LJM are to undergo a disarmament, demobilization and reintegration process. The other signatory, JEM-Sudan, has commenced preparations for the verification of its combatants with the support of the Doha Document for Peace in Darfur Ceasefire Commission with a view to entering a similar agreement with the Government.
35. Preparations continued for the Darfur internal dialogue and consultations scheduled for the second quarter of 2014. On 18 and 19 February in El Fasher, UNAMID facilitated a planning workshop to define the modalities for the dialogue. The workshop was attended by 47 civil society leaders and representatives of peace centres from the five States of Darfur and Khartoum.
36. In February, the Mission concluded a Darfur-wide survey aimed at gauging local awareness and perception of the Doha Document for Peace in Darfur and the internal dialogue. Initial findings of the survey indicated considerable grass-roots awareness of the Document and strong support for the dialogue. Participants expressed concern that the process could be hindered by the prevailing level of insecurity, as well as the emergency law vis-à-vis freedom of movement, association, expression and assembly.
37. The Darfur Regional Authority has now been fully established with the completion of the construction of its offices and recruitment of its personnel. However, insecurity, lack of financial resources, and limited technical capacity continued to undermine the ability of the Darfur Regional Authority to effectively implement the Doha Document for Peace in Darfur.
38. In the light of the agreements reached in the meeting of the Doha Document for Peace in Darfur Joint Commission on 25 February, UNAMID started working closely with the Sudan Disarmament, Demobilization and Reintegration Commission and the Darfur Security Arrangements Implementation Commission to establish the disarmament, demobilization and reintegration caseload of the LJM combatants and to support the verification exercise of the combatants of JEM-Sudan.

B. Protection of civilians

Provision of physical protection

39. During the reporting period, the Mission provided immediate and effective physical protection to displaced populations in camps and around team sites, as well as to vulnerable communities through patrols and strategic redeployment of peacekeepers. UNAMID provided physical protection to almost 60,000 displaced persons who sought refuge within or in the vicinity of UNAMID team sites in Saraf Umra, Khor Abeche and Korma.

40. An estimated 50,000 people fled to the UNAMID Saraf Umra team site during the outbreak of violence between the Northern Rizeigat and Gimir tribes on 5 March. The Mission reinforced the site with 60 formed police unit officers, as well as two companies of peacekeepers and a medical team. UNAMID escorted about 27 humanitarian vehicles with food and non-food items for the affected populations. The enhanced strength of the team site increased its capacity to conduct confidence-building patrols and provide crowd control. UNAMID set up an emergency clinic, delivered water and first aid to the displaced persons and evacuated 24 seriously injured individuals to El Fasher for medical treatment.

41. In Khor Abeche, South Darfur, following clashes between SLA-MM and the Abu Bashir militia group, 100 displaced persons fled to the UNAMID team site on 9 January. Patrols in and around the area were conducted to ease tensions and prevent retaliatory attacks. On 22 March, UNAMID assisted approximately 4,000 people who had fled attacks by the Rapid Support Force and unidentified militia and sought refuge inside the UNAMID Khor Abeche team site. The Mission provided protection, shelter and water to the internally displaced and engaged with the humanitarian community on the provision of emergency support.

42. Also on 22 March, 4,000 displaced persons fled from Kobe town and neighbouring villages that had been attacked by armed men on 21 March, and sought refuge at the UNAMID team site in Korma, North Darfur. UNAMID deployed additional peacekeepers to enhance the security of the displaced and supported humanitarian partners to provide emergency assistance. UNAMID deployed a company from El Fasher on 31 March to reinforce the team site and escorted two WFP trucks from El Fasher with food aid for the displaced persons.

Protective environment

43. The protective environment remained difficult, as recorded crimes and human rights violations increased slightly from the previous reporting period and little concrete progress was made towards ensuring accountability and the rule of law.

44. During the reporting period, UNAMID military personnel conducted 10,648 patrols, including 5,441 routine patrols, 2,052 night patrols, 908 administrative patrols, 967 humanitarian escorts, 950 short-range patrols and 330 long-range patrols. UNAMID police personnel conducted a total of 9,057 patrols, including 4,428 inside camps for internally displaced persons and 3,107 in villages, towns and markets, 940 medium-range patrols, 346 firewood and farm patrols and 236 long-range patrols.

45. In collaboration with the United Nations Mine Action Service (UNMAS), UNAMID continued to reduce the threat posed by explosive hazards throughout

Darfur. During the reporting period, 651 km of routes were assessed, 67 villages were surveyed, and 2,079 items of unexploded ordnance and 13,878 items of small arms ammunition were destroyed. Destruction of unexploded ordnance facilitated freedom of movement, including access, which enhanced livelihood activities. At the request of the Sudanese Armed Forces, UNMAS provided support for the disposal of time-expired ammunitions held in storage in El Geneina, West Darfur. Support was also provided to the Government police in El Fasher to rehabilitate its weapons storage facilities.

46. Recorded crimes increased from 298 cases in the previous reporting period to 331 cases in the current period, including armed robberies, rape, abductions and carjackings. UNAMID police increased confidence-building patrols in camps for the internally displaced, as well as joint security assessment patrols with the Mission's military component and joint patrols with the Mission's civilian components. Formed police units remained deployed in team sites with a high security risk. UNAMID also continue to provide capacity-building for Government police, particularly in community policing, and established an anti-car theft unit to counter the increase in carjackings.

47. The total number of documented human rights violations and victims increased from 156 incidents, involving 314 victims, in the previous reporting period to 185 incidents, involving 536 victims, in the current period. UNAMID documented 121 civilian deaths, 24 injuries, 20 abductions, and 10 victims of conflict-related sexual violence resulting from the attacks on Hajer and surrounding villages in South Darfur on 27 and 28 February by suspected elements of the Rapid Support Force.

48. Of the 185 documented cases of human rights violations, arbitrary arrests and detention accounted for seven cases involving nine victims; violations of the right to life accounted for 57 cases involving 203 victims (including seven minors); and violations of the right to physical integrity accounted for 70 cases involving 245 victims, which included 18 cases of abduction involving 48 victims. The majority of perpetrators were identified as belonging to the Government security services or rebel groups. Some were described by the victims as "armed men" and militia groups.

49. Ensuring accountability for human rights violations in Darfur remained a challenge. Of the 185 cases recorded by UNAMID, 65 incidents were reported by the victims to the Government authorities. Investigations were initiated into 27 of those incidents, leading to 10 arrests, but only two cases resulted in trials, with one conviction.

50. One of the dominant characteristics of the Darfur conflict continues to be extensive gender-based violence, including the rape of women and girls. To enhance protection for women, UNAMID continued to provide security during "firewood patrols". The patrols have contributed to a general decrease in gender-based violence in the areas where they have been conducted. Thirty-five cases of sexual and gender-based violence, involving 53 victims (19 minors), were documented by UNAMID, a decrease from the 35 cases and 63 victims recorded in the previous reporting period. This includes attacks inside camps for the internally displaced. In this regard, UNAMID intensified night patrols and trained community policing teams in the camps.

51. Twenty cases of sexual and gender-based violence were reported to the Government authorities by the victims. Lack of confidence among the victims and their families in the Government's capacity to conduct proper investigations, the absence of Government police in some areas, fear of retribution, and the social stigma attached to being subjected to sexual violence continued to cause under-reporting of cases of sexual and gender-based violence.

52. Through the efforts of UNAMID, the State Government of West Darfur approved the recruitment of 38 new female Government police officers to improve the reporting and prosecution of cases of sexual and gender-based violence. On 16 February, UNAMID and the State Government of East Darfur conducted a two-day workshop on the prevention of and response to sexual and gender-based violence for 78 Government personnel and members of local women's associations. On 18 February, UNAMID provided technical support in the drafting of the 2014-2015 workplan being developed by the Joint Committee on Combating Violence Against Women of the Government of South Darfur State.

53. UNAMID continued to provide support to strengthen the prison and judicial systems through various skills training programmes. The Mission also continued to conduct regular visits to the prisons to advise on the improvement of conditions and mentor State Directors of Prisons on prison management and best practices in accordance with international standards. In accordance with the outcome of the strategic review, the Mission is taking steps to examine the impact of its rule of law training programme on the increase in access to justice mechanisms.

Humanitarian access, safety and security

54. UNAMID enhanced its coordination with the United Nations country team and the Government of the Sudan to facilitate humanitarian access and ensure the safety and security of humanitarian organizations in specific areas. Following the intercommunal conflict in Saraf Umra in March, a Crisis Management Team comprising UNAMID military, police and civilian components and the United Nations country team was mobilized at UNAMID headquarters and at the sector level to respond to the crisis. UNAMID provided military escorts to WFP humanitarian aid convoys involving 30 trucks of emergency humanitarian supplies for distribution in the affected locality. Immediate humanitarian assistance with about 600 metric tons of food and non-food items was mobilized from El Geneina and El Fasher to Saraf Umra accompanied by 100 military personnel to support the protection of civilians.

55. UNAMID provided military escorts for 199 trucks that delivered a total of 5,432 metric tonnes of food distributed by WFP. This was part of the WFP-UNAMID collaboration to ensure timely delivery of adequate food assistance to beneficiaries across Darfur. Regular passage of escorted humanitarian convoys on main routes helped improve the safety of those routes for civilians. In February, UNAMID provided support to humanitarian actors in reaching the civilians around the UNAMID team site in Labado. In the same month, despite intensified coordination between UNAMID and the Government's Humanitarian Affairs Commission and the Wali of East Darfur, the Government continued to deny access to humanitarian actors to Adilla and Abu Karinka, both of which were areas that were affected by tribal clashes between Ma'aliya and Rizeigat.

56. Successful joint advocacy by UNAMID and the United Nations country team resulted in improved access to persons affected by ongoing armed conflict in South Darfur. Responding to reports of displacements from the Kalma and Al Salam camps in Nyala and Sanie Deleiba, an inter-sector mission was quickly conducted, and timely access was granted by the Government which enabled effective protection assessments and responses to be carried out. However, access to Um Gunya and Hijaar by UNAMID and the United Nations country team continued to be restricted by the Government.

C. Prevention or mitigation of community conflict

57. During the reporting period, UNAMID engaged Government institutions, civil society groups, tribal leaders and the Native Administration to monitor transhumance movements, develop plans to prevent incidents of crop destruction and livestock theft along migratory routes and to prevent local conflicts. The Mission held five meetings in North, South and Central Darfur to share views with 19 stakeholder representatives on how to mitigate conflicts between farmers and pastoralists. Separate meetings were also held on 9 January and 19 February with the North Darfur Farmers Union and the Director General of Animal Resources on the same concern with a view to strengthening traditional conflict-resolution mechanisms. On 8 March, UNAMID and officials of Tereij Administrative Unit facilitated the establishment of a peaceful co-existence committee by farmers and nomads for the prevention of conflict during cultivation and harvest.

58. Following the conflict between the Gimir and Northern Rizeigat militia in Saraf Umra, UNAMID provided technical support to the mediation process in Saraf Umra that resulted in the signing on 12 March of an agreement on cessation of hostilities between the Northern Rizeigat and Gimir. The presence of UNAMID in the mediation and at the signing ceremony engendered confidence in the reconciliation process and its outcome. The Mission has been actively involved in the monitoring and implementation of the agreement.

59. In January and February, UNAMID also provided technical and logistical support to the Darfur Regional Authority in organizing four social peace conferences in South, West, North and Central Darfur on the root causes of conflict in Darfur and possible solutions. A key outcome was the establishment of reconciliation follow-up mechanisms in Central and South Darfur for the implementation of the reconciliation agreements between the Salamat and Misseriya and between the Beni Halba and Gimir. Additional efforts by UNAMID resulted in the signing of another reconciliation agreement on 16 March between Gimir and Beni Halba in South Darfur.

60. In East Darfur, UNAMID helped de-escalate the conflict between Rizeigat and Ma'alia in Abu Jabra locality, El Daein, by engaging and advocating on 25 January with the El Daein Locality Commissioner, the Wali of East Darfur and officials within government security institutions for a quick mitigation response. As a result, additional Government troops were deployed in the buffer zone between the two tribes to deal with possible clashes. UNAMID also worked with the Locality Commissioner of Adilla in El Daein to engage the Nazir of the Ma'alia tribe to discourage his tribesmen from fighting with the Rizeigat.

61. On 10 March, the Salamat and Ta'aisha tribes in Rehad El Berdi, South Darfur commenced the reconciliation process in line with the agreement on cessation of hostilities signed in April 2013. This process was the result of the joint efforts of UNAMID and local authorities. UNAMID provided logistical support for the Salamat and Ta'aisha tribal representatives travelling to Nyala for the reconciliation process. Following reports of renewed clashes between Ma'alia and Rezeigat in Al Fadou and Algegamia, East Darfur, the Mission quickly engaged with local authorities on mitigation measures and mediation efforts aimed at preventing further escalation.

62. Rezeigat and Ma'alia leaders agreed to form a youth group at a meeting organized by UNAMID on 27 March in Bekhela, East Darfur, which would sensitize local communities about peace and reconciliation. Following a meeting facilitated by UNAMID in Umjaruma, South Darfur, on 28 March, the Abbala and Beni Hussein leaders agreed to establish a committee to mediate the grievances of both tribes against each other.

IV. Implementation of the strategic review

63. To ensure the effective monitoring of the strategic priorities outlined in my strategic review report of 25 February 2014 (S/2014/138), the benchmarks and indicators contained in annex I to that report have been adjusted. Furthermore, the Mission, the Secretariat and the United Nations country team have developed a workplan to address the three challenges the Mission faces in the implementation of its mandate, which is being monitored on a biweekly basis.

64. In accordance with the reprioritized strategy recommended by the review, the UNAMID police component will refocus its activities on the following areas: (a) supporting physical protection of civilians; (b) facilitating humanitarian assistance; and (c) creating a protective environment by coordinating police capacity-building and community-oriented policing initiatives. In this regard, UNAMID and the Department of Peacekeeping Operations conducted a thorough task analysis of the police component leading to the restructuring of its command and control and the reduction of 723 individual police officers, four formed police units, and four professional police posts from the current strength.

65. While the streamlining has taken place in the context of the needs on the ground, there will be no room for the deployment of personnel who do not meet the requirements. The Mission and the Department of Peacekeeping Operations will therefore work closely with police-contributing countries to ensure that personnel have the skills and expertise required to meet the mandated tasks. With regard to formed police units, it will be important that all such units have the appropriate self-sustainability and contingent-owned equipment to enable to be mobilized more flexibly and quickly to respond to public order challenges within the Mission area. Furthermore, the use of formed police units will be strictly limited to internal and non-armed crowd control situations. They will not be utilized for logistical convoys and deterrence patrols against armed threats.

66. The military component will create two additional sectors to align its operations with State structures. It will also reduce 200 military observers, staff officers and liaison officers following a review of their deployment and tasking. One heavy transport company will also be repatriated. Both the military and police

components are now developing a plan to make these reductions effective as soon as possible while taking into account the skills sets needed.

67. The civilian components aligned their workplans and priorities with the strategic priorities as outlined in my special report, while deprioritizing certain mandated tasks as requested by the Security Council in its resolution 2148 (2014). Work will continue with the United Nations country team on how this streamlining may have an impact the agencies, funds and programmes of the United Nations. The first phase of streamlining focused on the HIV/AIDS; gender; disarmament, demobilization and reintegration; child protection; and rule of law components. In addition to the civilian staffing review that was concluded in November 2013, which has already led to a reduction of 19 posts in those sections (out of a total of 169 posts), an additional 65 posts will be reduced, resulting in an overall reduction of 46 per cent of the posts in those areas. A second phase will include all other substantive civilian components, the results of which will be provided in my next report.

68. In accordance with the established policies and guidance from the Secretariat, the Mission has restructured its air fleet requirements and usage modalities. The Mission has reduced two fixed-wing and four rotary-wing aircraft in the past several months, with no negative impact on the operational effectiveness of the Mission. UNAMID is also reviewing the use of 4 X 4 vehicles with a view to maximizing use in priority areas in the field and reducing requirements for new purchases.

V. Observations and conclusion

69. The present report follows the submission to the Council of my special report on UNAMID of 25 February (S/2014/138), which presented a detailed review of the Mission's progress towards achieving its mandate, challenges faced in doing so, and recommendations aimed at making the Mission more effective.

70. It is clear to all observers that UNAMID has faced difficulties in the implementation of its mandate. I nevertheless firmly believe that by working together towards the achievement of concrete strategic and operational goals, the African Union, the United Nations, troop and police contributors, the leadership and staff of UNAMID, the United Nations country team and other partners can have a greater impact in bringing peace to Darfur and protecting those at risk. The full partnership of the Government of the Sudan is fundamental to any progress in achieving those goals.

71. Regarding the revised strategic political priorities of the Mission, I welcome the proposal by the Joint Chief Mediator to develop, together with the African Union, a common framework for political negotiations within the context of the national dialogue. I firmly believe that a national dialogue is required for the economic and political development of the Sudan. At the same time, the Doha Document for Peace in Darfur remains necessary to address the root causes of the regional conflict that are specific to Darfur. In this regard, I commend the Joint Chief Mediator for his ongoing efforts to bring the parties to the conflict into direct negotiations, as well as his engagement with key regional actors to encourage the armed movements to join the peace process.

72. I welcome the invitation of the Government of the Sudan to political parties, civil society and armed groups to participate in a national dialogue. This presents an opportunity for the peaceful political settlement of the ongoing conflicts. All parties must embrace the initiative with sincerity. I urge the Government to ensure the inclusiveness and credibility of the dialogue and urge the armed groups to take this opportunity to put conflict behind them and embrace the political path to peace and democratic governance.

73. While the political process shows some signs of progress, the security situation and protective environment in Darfur has deteriorated. The attacks and intercommunal clashes in Darfur have displaced tens of thousands of civilians and disrupted their livelihoods. The increasing involvement of militia in these clashes is very disturbing. Even more worrying are reports of sexual and gender-based violence, the burning of villages and the destruction of water sources and other infrastructure.

74. I commend the Government for its efforts to mediate and resolve intercommunal conflicts and welcome the intervention of President Déby in support of peace initiatives in Darfur. I demand that the Government stop using militia elements in its counter-insurgency efforts and put an end to their abuses against civilians. I also demand that the non-signatory movements lay down their arms and commit fully to the peace process.

75. It is unfortunate that the years of effort that led to the signing of the Doha Document for Peace in Darfur have not resulted in the same level of engagement from the signatory movements and broader international community in its implementation. The root causes of conflict in Darfur, including issues of land reform and return, social and economic development, justice and the rule of law, can be addressed through the implementation of the provisions of the Doha Document for Peace in Darfur. I call upon the signatory parties and international partners to redouble their efforts to implement the Doha Document, while at the same time, to make use of every opportunity at the national level to address broader issues of political inclusion.

76. The mandate of UNAMID cannot be implemented without the full partnership of the Government of the Sudan. The Government has taken positive steps in the issuance of visas and the deployment of contingent-owned equipment. But without freedom of movement, the personnel and equipment deployed in Darfur cannot effectively be used to engage with Government and other actors in reaching those in need. I call on the Government to ensure full access to areas in conflict for UNAMID as well as for humanitarian and recovery actors in Darfur.

77. Despite the multiple challenges UNAMID has encountered, the Mission has made progress in the implementation of its mandate. It has taken steps to enhance its effectiveness, in line with the recommendations outlined in my special report on the review of UNAMID dated 25 February 2014. I am grateful to the United Nations country team and humanitarian actors for their quick action in responding to humanitarian needs in areas of Darfur that were affected by the recent violence and attacks against civilians. Close coordination between humanitarian actors and UNAMID in these challenging circumstances was necessary and helped to alleviate the suffering of the people of Darfur.

78. In the months ahead, much will be expected of UNAMID, the United Nations Secretariat, the African Union Commission and troop- and police-contributing countries, in partnership with the Government of the Sudan, to implement the strategic review and streamlining of the Mission. I am confident that I can count on all concerned to proactively engage in enhancing the ability of UNAMID to more effectively implement its mandate.

79. Finally, I wish to pay tribute to the Joint Special Representative, Mohamed Ibn Chambas, the uniformed personnel, the civilian staff of UNAMID and the United Nations agencies, funds and programmes for their continued hard work under extremely difficult circumstances. I am deeply appreciative of the sacrifice they are making for the cause of peace in Darfur.

Annex 1

Proposed benchmarks

Benchmark 1: inclusive peace process through mediation between the Government and non-signatory armed movements on the basis of the Doha Document for Peace in Darfur

Requirements for progress would include a commitment on the part of the Government of the Sudan and non-signatory movements to reach a comprehensive negotiated political settlement to the conflict and adhere to its full and timely implementation; and credible Darfur-based internal dialogue and consultations that seek to reflect the views of the civilian population, including women, on Darfur in the peace process.

Indicators

High-level mediation

- The Government and the non-signatory movements enter into direct negotiations brokered by the Joint African Union-United Nations Chief Mediator for Darfur over an all-inclusive comprehensive settlement to the Darfur conflict within the context of the Doha Document for Peace in Darfur.
- The signatory parties, with the support of international partners, implement the provisions of the Doha Document for Peace in Darfur, which remain essential in addressing the root causes of conflict in Darfur.
- The Government and the non-signatory movements conclude and observe a comprehensive and inclusive cessation of hostilities.
- The outcomes of the Darfur peace process are reflected in a national constitutional process supported by the African Union High-level Implementation Panel for the Sudan, as provided for in the framework for African Union and United Nations facilitation of the Darfur peace process.

Darfur-based internal dialogue and consultations;

- Darfur-based internal dialogue and consultations take place in an inclusive and transparent environment that ensures the proportional representation of Darfuris and respect for the human rights of participants, as monitored by African Union-United Nations Hybrid Operation in Darfur (UNAMID).
- The outcomes of the Darfur-based internal dialogue and consultations are widely disseminated and implemented in a manner that promotes and consolidates peace and stability in Darfur.
- A functioning Darfur Regional Authority that oversees the implementation of the Doha Document for Peace in Darfur, in conjunction with the Government of the Sudan.

Benchmark 2: protection of civilians and unhindered humanitarian access and the safety and security of humanitarian personnel

Requirements for progress would include the demonstrated commitment of the parties to the conflict, including Government forces, non-signatory movements and other armed groups, to cease hostilities and respect and implement ceasefire and security arrangements; the demonstrated commitment of the parties to the conflict to implement measures to protect civilians (or promote/respect human rights); the demonstrated commitment of the parties to the conflict to allow unrestricted humanitarian access; the willingness of local actors to facilitate the safe, voluntary and sustainable return, reintegration or resettlement of internally displaced persons and refugees; improvement of TCC/PCC performance and equipment; support by the international donor community for humanitarian activities and, where appropriate, early recovery and rehabilitation; the improved coordination between UNAMID and humanitarian actors with regard to the facilitation of the delivery of humanitarian assistance and the safety and security of humanitarian personnel; and the commitment of the Government of the Sudan at the national and local levels to improve the capacity of its security, judicial and penal institutions to promote and protect human rights.

Indicators

Protection of civilians from imminent threats of physical violence;

- Civilians facing imminent threats of physical violence are protected by UNAMID.
- Civilians at risk of physical attack, in particular women and children, carry out livelihood activities safely and securely under UNAMID protection.
- Civilians receive emergency medical assistance from UNAMID, including through evacuation to medical facilities, in extreme circumstances (i.e., when humanitarian actors are unable to assist).

Protective environment;

- Security and stability (as indicated by an absence of serious crime or violent conflict) for civilians within camps for internally displaced persons and temporary settlements.
- Security and stability (as indicated by an absence of serious crime or violent conflict) for civilians in areas outside of camps for internally displaced persons and temporary settlements, including in particular in areas adjacent to camps.
- Reduction in the number of violent crimes against civilians.
- Reduction in human rights violations, including incidents of sexual and gender-based violence, as recorded by UNAMID.
- Reduction in the recruitment of child soldiers by the parties to the conflict.
- Improved environment for the protection of civil and political rights, including through the development of sustainable foundations for professional, democratic policing and law enforcement.
- Trials monitored by UNAMID are fair and in accordance with international legal standards and practices.

- The prevalence of arms and armed actors is reduced through the disarmament, demobilization and reintegration of combatants in accordance with the provisions of the Doha Document for Peace in Darfur.
- Threats to civilians posed by unexploded ordnance are addressed through, inter alia, the safe disposal of such materials and through risk-awareness training.

Safe, timely and unhindered humanitarian access and safety and security for humanitarian personnel;

- Humanitarian actors requesting UNAMID protection and other support are able to conduct operations (e.g., inter alia aid delivery and distribution and needs assessments) in a safe, timely and unhindered manner.
- Humanitarian actors and their property are safe and secure, in particular when UNAMID protection is provided.
- Parties to the conflict honour their commitments and international obligations to combat all acts of sexual violence against women, men and children and put an end to the recruitment and use of child soldiers.

Benchmark 3: prevention or mitigation of community conflict through mediation and, in conjunction with the United Nations country team, measures to address its root causes

Requirements for progress would include willingness on the part of the authorities and traditional community leaders to play a constructive role in resolving intercommunal conflict peacefully; the provision of access to UNAMID to facilitate mediation efforts; strengthened traditional conflict resolution mechanisms and greater respect thereof; the inclusion of measures in reconciliation agreements to address the root causes of intercommunal conflict; a willingness on the part of the authorities and other parties to the conflict to fulfil their responsibilities in regard to preventing or resolving intercommunal clashes; and the provision of access to the United Nations Country Team to enable measures that address root causes related to natural resources, recovery and reconstruction.

Indicators

- Dialogue between pastoralist and agriculturalist communities over peaceful coexistence and shared access to natural resources, in particular prior to and during the migration season.
- Interventions by the authorities and traditional community mediators, facilitated by UNAMID, that prevent or resolve violent intercommunal conflict.
- Dialogue between conflicting parties over local settlements to violent intercommunal conflict.
- Conflicting parties enter into and adhere to local agreements that settle violent intercommunal conflict.
- Reduction in the number of incidents of and new displacement resulting from intercommunal conflict.

- Transitional justice mechanisms, including the National Human Rights Commission, the Special Court for Darfur and the Truth and Reconciliation Commission, are established and operating in accordance with international human rights standards and best practice.
 - Improved access to justice through the adoption of measures aimed at enhancing victims' rights to truth, justice and remedy.
-

**General Assembly
Security Council**Distr.: General
17 April 2014

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
**Illegal Israeli actions in Occupied East Jerusalem and
the rest of the Occupied Palestinian Territory****Security Council**
Sixty-ninth year**Identical letters dated 16 April 2014 from the Permanent Observer
of the State of Palestine to the United Nations addressed to the
Secretary-General, the President of the General Assembly and the
President of the Security Council**

I write to you in follow-up to our numerous previous letters regarding the illegal policies and constant provocations and incitement by Israel, the occupying Power, and its extremist settlers and religious zealots against the Palestinian people, their land and their holy places. Over the past couple of weeks, such reckless actions and provocations have not only continued but have escalated, further exacerbating tensions and religious sensitivities between the two sides and risking a dangerous destabilization of the already fragile situation on the ground.

In this connection, I must inform you of the extremely worrying developments that occurred today, 16 April, at Haram al-Sharif (the Noble Sanctuary), which houses the holy Al-Aqsa Mosque and Qubbat Al-Sakhra (the Dome of the Rock) in Occupied East Jerusalem. In a clear act to aggravate and destabilize the situation on the ground, at 7.45 am (Palestine time), Israeli occupying forces unlocked the entrance of Al-Mughrabi Gate, which is the entrance to Haram al-Sharif, to allow for the entry of over 1,000 occupying forces, backed by so-called "border police" as well as "special units", including a sniper squad, to violently raid the mosque, provoking confrontations with the Muslim worshippers inside Al-Aqsa Mosque.

According to reports, Israeli occupying forces cordoned off the southern building of Al-Aqsa Mosque and fired a barrage of tear gas canisters, rubber-coated bullets and stun grenades towards the worshippers, who took refuge in the mosque. These violent attacks by the occupying forces caused fear and panic to spread among worshippers and provoked clashes. As a result, at least 25 Palestinians were injured, including some hospitalized for respiratory injuries due to the firing of tear gas canisters. In addition, dozens of Palestinians are said to have been detained by the occupying forces. Moreover, shortly after this provocation, the occupying Power deployed its occupying forces at all gates of the holy compound, where Palestinian men under the age of 50 were denied entry into the mosque at the time of prayers, further violating their human rights, particularly the right to worship.



As noted in prior letters, Al-Aqsa Mosque, the first qiblah and the third holiest site in Islam, continues to be subjected to threats, incitement and provocations by Israeli occupying forces as well as extremist Israeli settlers and right-wing zealots, who have been calling for a "group pilgrimage" to Haram al-Sharif to mark the Jewish Passover holiday, now under way until 21 April. Moreover, the constant provocations by right-wing Israeli officials, to which we have also referred in past letters, has deepened concerns and fears among the Palestinian people and their leadership about the potential for further crisis in this most sensitive area.

We reiterate once more that all such illegal Israeli actions at Haram al-Sharif, and for that matter throughout the rest of Occupied East Jerusalem, are in violation of the numerous relevant Security Council and General Assembly resolutions calling for a cessation of all Israeli policies and measures aimed at altering the character, legal status and demography of the Occupied Palestinian Territory, including of East Jerusalem, and for respect by Israel, the occupying Power, for its obligations under international law, including the Fourth Geneva Convention, which prohibits such actions.

We believe that all such incitement and provocations against Muslim and Christian holy sites in the Occupied Palestinian Territory, including East Jerusalem, and against the Palestinian people, whether they be perpetrated by the Government of Israel, its occupying forces or its illegal settlers or religious zealots, warrant serious and immediate attention by the international community, including by the Security Council, in line with its primary duty under the Charter of the United Nations for the maintenance of international peace and security. We therefore reiterate our call upon the international community to act with urgency and responsibility to ensure the de-escalation of this perilous situation in Occupied East Jerusalem and to bring a halt to the occupying Power's violations of international law, including humanitarian and human rights law. These latest violent and dangerous measures taken at Haram al-Sharif are not only aimed at illegally and forcibly entrenching Israeli control over Haram al-Sharif and Occupied East Jerusalem but are also seriously jeopardizing the prospects for ever realizing a peaceful and just settlement on the basis of international law and relevant United Nations resolutions and in accordance with the two-State solution based on the pre-1967 borders.

The present letter is in follow-up to our previous 492 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 9 April 2014 (A/ES-10/623-S/2014/257), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) **Riyad Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations



Security Council

Distr.: General
16 April 2014

Original: English

Report of the Secretary-General concerning the credentials of the alternate representative of Lithuania on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 14 April 2014 from the Permanent Representative of Lithuania to the United Nations stating that Colonel Darius Petryla has been appointed alternate representative of Lithuania on the Council.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.





Security Council

Distr.: General
16 April 2014

Original: English

Letter dated 16 April 2014 from the Secretary-General to the President of the Security Council

I have the honour to refer to Security Council resolution 2140 (2014) of 26 February 2014, in which the Council requested that I create for an initial period of 13 months, in consultation with the Committee established pursuant to the same resolution, a group of up to four experts ("Panel of Experts"), and also requested that I make the necessary financial and security arrangements to support the work of the Panel.

Accordingly, I wish to inform you that I have appointed the following experts to serve on the Panel:

Ms. Carmela Bühler (Switzerland), international humanitarian law

Mr. Simon David Goddard (United Kingdom of Great Britain and Northern Ireland), finance

Ms. Alma Abdul-Hadi Jadallah (Jordan), regional issues

Mr. Mohamed Mahmoud Ould Mohamedou (Mauritania), armed groups

I have also designated Mr. Mohamedou to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) **BAN Ki-moon**





Security Council

Distr.: General
17 April 2014

Original: English

**Letter dated 11 April 2014 from the Chair of the Security Council
Committee established pursuant to resolution 1988 (2011)
addressed to the President of the Security Council**

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1988 (2011), in which the Council presents its position on the recommendations contained in the third report of the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004) (see S/2013/656), which was submitted to the Committee in accordance with paragraph (a) of the annex to resolution 2082 (2012).

I should be grateful if the attached report could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Gary Quinlan
Chair

Security Council Committee established pursuant to
resolution 1988 (2011)



Recommendations contained in the third report of the Analytical Support and Sanctions Monitoring Team: position of the Committee

1. On 30 September 2013, the Analytical Support and Sanctions Monitoring Team submitted its third report to the Security Council Committee established pursuant to resolution 1988 (2011). The Committee is of the opinion that all Member States should be made aware of the Monitoring Team's recommendations and the position of the Committee on them. The paragraphs indicated in the present document refer to the paragraphs in the third report of the Monitoring Team.

Properly targeted list

2. In paragraph 20, the Monitoring Team recommended that the Committee adapt the criteria for reviewing list entries lacking identifiers in accordance with paragraph 28 (b) of resolution 2082 (2012) to include the absence of a photograph or a detailed physical description. To encourage the addition of biometric data in list entries, the Committee has decided to revise the guidelines of the Committee for the conduct of its work. However, the criteria for reviewing list entries lacking identifiers should remain the same so that names lacking such data do not automatically qualify for inclusion in the review.

Links with the Al-Qaida Sanctions List

3. In paragraph 24, the Monitoring Team recommended that the Committee consider a mechanism for moving Gulbuddin Hekmatyar (QI.H.88.03.) from the Al-Qaida Sanctions List to the 1988 Sanctions List. The Committee agrees that the names on the 1988 Sanctions List should, in the most accurate manner possible, identify individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan and will therefore consider this proposal further.

Implementation of the travel ban

4. In paragraph 27, the Team recommended that the Committee encourage Member States to report to the Committee instances in which they had either prevented or discovered the entry of a listed individual into their territory and to obtain from reporting Member States information concerning the travel documents used in such attempts in order to add that information to the 1988 Sanctions List and thus improve the implementation of the travel ban. The Committee has accordingly prepared a note verbale in which it encourages all Member States to report on the above-mentioned instances and information. It has also decided to include the message in notes verbales communicating new listings to Member States.

5. In paragraph 30, the Monitoring Team recommended that the Committee continue to encourage Member States to submit up-to-date data on the residence, travel documents and alternate identities and names of individuals included on the 1988 Sanctions List as soon as such information becomes available to them. The Committee has accordingly prepared a note verbale, in which it encourages all Member States to provide such information, and has decided to include the message in notes verbales communicating new listings to Member States.

6. In paragraph 33, the Monitoring Team recommended that the Committee draw the attention of Member States to the Stolen and Lost Travel Document database of

the International Criminal Police Organization (INTERPOL) and encourage them to facilitate direct and instant access for first-line border security and consular officials to the database. The Committee will do so through a note verbale to all Member States.

7. In paragraph 37, the Monitoring Team recommended that the Committee encourage all States to indicate, as a criterion for a person to enter their country, that the person was not included on the 1988 Sanctions List. The Committee will do so through a note verbale specifying that the proposal was subject to the observance of domestic legislation and capacity.

8. In paragraph 38, the Monitoring Team recommended that the Committee encourage States to include, in existing or new travel documents issued to persons included on the 1988 Sanctions List, language to indicate that the bearer is subject to the travel ban and corresponding exemption procedures. The Committee will do so by note verbale, again specifying that the proposal was subject to the observance of domestic legislation and capacity.

9. In paragraph 39, the Monitoring Team recommended that the Committee encourage Member States to make the INTERPOL search platform for Travel Documents Associated with Notices (TDAWN) widely available to relevant officials and the private sector and a part of routine checks like the INTERPOL Stolen and Lost Travel Document database. The Committee will do this through a note verbale to all Member States.

Implementation of the assets freeze

10. In paragraph 44, the Monitoring Team recommended that the Committee encourage Member States to submit any relevant information on Taliban bank accounts, hawalas and financial facilitators to the Committee for inclusion in the 1988 Sanctions List. The Committee will do so through a note verbale, in which it will also remind Member States of the prohibition against making assets available to listed persons, and will encourage Member States to take preventative action against the risk highlighted in the report. The Committee will also include a request for the above-mentioned information in the standard form used by Member States to propose new listings to the Committee and in notes verbales informing Member States of new listings.

11. In paragraph 45, the Monitoring Team recommended that the Committee encourage Member States, especially the Government of Afghanistan and States participating in International Security Assistance Force (ISAF) operations, to submit relevant information relating to the business interests and enterprises of listed individuals and entities to the Committee for inclusion in the 1988 Sanctions List. The Committee will accordingly send a note verbale to all Member States and letters to the Government of Afghanistan and States participating in ISAF operations conveying that message.

12. In paragraph 48, the Monitoring Team recommended that the Committee clarify that the targeted financial sanctions measure also applies to illegally exported and marketed gemstones and precious stones from Afghanistan. The Committee has accordingly asked the Monitoring Team to clarify this in its "explanation of terms" paper on the assets freeze.

Implementation of the arms embargo

13. In paragraph 64, the Monitoring Team recommended that the Committee encourage the States neighbouring Afghanistan and all Member States wishing to invest in the extractive sector to strengthen the internal controls over their national companies and their national suppliers of explosive material, detonating cord and detonators. The Committee will prepare a note verbale to all Member States concerning companies involved in the extractive sector of Afghanistan, and encouraging the States of incorporation of such companies that have not yet done so, where relevant, to ensure that the companies have strong internal controls with respect to their management of explosive material, detonating cord and detonators, so as to prevent such items from being obtained by the Taliban for use in improvised explosive devices. The Committee also requests the Monitoring Team to consider including the topic in the Monitoring Team's facilitation of assistance in capacity-building, pursuant to paragraph (s) of the annex of resolution 2082 (2012).

14. In that connection, and following the recommendation of the Monitoring Team contained in paragraph 66, the Committee requests that the Team engage, where appropriate, with all relevant Member States, as well as private sector stakeholders, to consider the feasibility of further measures to constrain the manufacture of improvised explosive devices.

Security Council-INTERPOL cooperation

15. In paragraph 76, the Monitoring Team recommended that the Committee consider adopting Orange Notices on thematic matters that would enhance the implementation of the 1988 sanctions regime. The Committee notes the importance of the ongoing collaboration with INTERPOL to the effective implementation of the sanctions measures and will initiate further discussions with INTERPOL aimed at using Orange Notices in the 1988 sanctions regime context. The Secretariat is liaising with INTERPOL on any required follow-up and will provide updates to the Committee.



**General Assembly
Security Council**

Distr.: General
21 April 2014
English
Original: Arabic

**General Assembly
Sixty-eighth session
Agenda item 35
The situation in the Middle East**

**Security Council
Sixty-ninth year**

**Identical letters dated 9 April 2014 from the Permanent
Representative of Lebanon to the United Nations addressed to the
Secretary-General and the President of the Security Council**

On instructions from my Government, I transmit herewith a statistical summary of Israeli violations of Security Council resolution 1701 (2006) committed in February 2014 (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Nawaf Salam
Ambassador
Permanent Representative

14-30477 (E) 230414 240414



Please recycle 



**Annex to the identical letters dated 9 April 2014 from the
Permanent Representative of Lebanon to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

Land violations

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
1 February 2014	1425	Near the Liman position, west of Ayta al-Sha'b-1, Israeli enemy soldiers in a Defender vehicle used a megaphone to curse a martyr of the resistance. They then played sounds of sexual activity and songs in Hebrew. At 1440 hours, two Humvee vehicles arrived at the location, and all the vehicles then withdrew into occupied territory.
2 February 2014	1435	An Israeli enemy patrol comprising 11 soldiers and a dog crossed the technical fence opposite point B35 (2) at Rumaysh, inside occupied Palestinian territory. A Poclain excavator then arrived. The patrol inspected the area and removed grass and trees near the technical fence without crossing the Blue Line. At 1700 hours, they withdrew into occupied territory. A four-wheel drive vehicle and two Merkava tanks monitored their work from the Israeli enemy position at the Rumaysh gate.
3 February 2014	0830	An Israeli enemy patrol comprising 11 soldiers, a dog, a Poclain excavator and a wheeled digger crossed the technical fence opposite point B35 (2) at Rumaysh. They removed grass and trees between points B35 (2) and B35 without crossing the Blue Line. At 1620 hours, the patrol returned into occupied territory.
	1015	An Israeli enemy patrol comprising three Hummer vehicles and two Defender vehicles approached point B82-B in occupied Palestinian territory, opposite Kafr Killa. Ten soldiers stepped out. A civil engineering machine mounted with a pole bearing a camera arrived and the camera was trained on Lebanese territory. At 1045 hours, the vehicles and soldiers withdrew into occupied territory.
4 February 2014	0730, 1515	A Poclain excavator, a D9 excavator and three Israeli enemy soldiers crossed the technical fence near point B35-1. They carried out digging work and cut down trees alongside the fence between points B35-2 and B35-3 without crossing the Blue Line.
	0942	An Israeli enemy patrol comprising two Defender vehicles and two Hummer vehicles approached the Jabal al-Tayyarah position opposite Kafr Killa. One of the Hummer vehicles had been mounted with a surveillance camera, which was trained on Lebanese territory. Eight soldiers stepped out of the vehicles and inspected the technical fence. At 1145 hours, the patrol withdrew to occupied territory with the exception of the vehicle mounted with the surveillance camera, which withdrew at 2200 hours on 5 February 2014.

Date	Time	Nature of violation
	2000	Israeli enemy forces at the Fashkul position in the occupied Shab'a Farms fired a number of flare shells over the area surrounding the position.
10 February 2014	1150	Inside the occupied Shab'a Farms, an Israeli enemy Poclain D9 excavator and three Merkava tanks arrived opposite a Lebanese Army position outside the town of Kafr Shuba (<i>lam-mim-9</i>). The tanks took up combat positions and the excavator reinforced and raised the earthen berm in the area. At 1300 hours, the vehicles withdrew into occupied territory.
12 February 2014	0715	In occupied Palestinian territory, opposite Aytarun town and the locality of Khallat al-Ghamiqah, opposite point B52, 14 Israeli enemy soldiers and a dog crossed the technical fence without crossing the Blue Line. They inspected points B56 and B56-1 and then took up combat positions behind the rocks, training their light and medium weapons on Lebanese Army soldiers and filming the area and its surroundings.
13 February 2014	1630, 1710	The Israeli enemy directed medium machine gun fire at the area around the Ruwaysat al-'Alam and Summaqah positions in the occupied Shab'a Farms.
18 February 2014	1530	An Israeli enemy reconnaissance aircraft crashed 30 metres south of the Blue Line near point B64-1. Two enemy vehicles and ten soldiers crossed the technical fence. At 1620 hours, they withdrew into occupied territory, leaving some five soldiers to monitor the aircraft. The United Nations Interim Force in Lebanon (UNIFIL) reported that the enemy would remove the wreckage of the aircraft that night, without specifying a time.
	1600	At point B64-1, opposite Mays al-Jabal, in the Kurum al-Shiraqi area, some 13 Israeli enemy soldiers crossed the technical fence and inspected the area without crossing the Blue Line. They removed two pieces of metal near the aircraft that had crashed some 50 metres south of the Blue Line. At 1630 hours, a group of 10 soldiers withdrew into occupied territory and three soldiers remained near the aircraft, whose engine continued to run. At approximately 1715 hours, when a Lebanese Army patrol from the <i>lam-mim-9</i> position arrived from the Lebanese side, together with a patrol belonging to Nepalese unit of UNIFIL and officers from the Lebanese Intelligence Directorate (Southern Branch), one of the enemy soldiers positioned near the aircraft fired into the air.
	1705	Following the crash and disintegration of an Israeli enemy reconnaissance aircraft between the technical fence and the Blue Line, opposite the town of Mays al-Jabal, an enemy patrol crossed the technical fence. A member of the patrol fired a shot in the air above the heads of Lebanese Army and UNIFIL soldiers on the Lebanese side of the border.

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
19 February 2014	0430	An Israeli enemy patrol collected the aircraft that had crashed on 18 February 2014 approximately 30 metres south of the Blue Line, transporting it into occupied territory.
	1110	An Israeli enemy patrol from the Jisr al-Ghajar position, comprising three Land Rover vehicles and two Hummer vehicles, arrived opposite the observation point of Wazzani (OP8) of Lebanese Army post <i>lam-mim-9</i> , inside occupied territory. Five soldiers stepped out of the vehicles, opened the gate opposite the observation point, crossed the technical fence and went down to the river bank without crossing the Blue Line. At 1150 hours, the patrol withdrew to occupied territory.
20 February 2014	1920	From its position at the Zar'it barracks, the Israeli enemy directed a searchlight for two minutes towards the Ramiya-Marwahin public road.
22 February 2014	1015	From the position at Ra's al-Naqurah 1, opposite the town of Labbunah, Israeli enemy soldiers trained medium automatic weapons on a Lebanese Army patrol belonging to the Lebanese Intelligence Directorate (Southern Branch).
24 February 2014	1030	Two Israeli enemy Merkava tanks arrived opposite the Tallat al-Riyah area of the village of Kafr Killa. They took up positions behind the earthen berm and trained their cannons on Lebanese territory. At 1110 hours, they withdrew into occupied territory.
26 February 2014	2020	From its position at Ra's al-Naqurah, the Israeli enemy directed a searchlight for five minutes towards Lebanese territory.
	1000	From the Labunah — Jall al-'Alam position in occupied Palestinian territory, an Israeli enemy patrol trained its weapons on members of a Lebanese Army patrol belonging to the Lebanese Intelligence Directorate (Southern Branch).
	2020	From its position at the Biranit barracks, the Israeli enemy directed a searchlight that had been mounted on a military vehicle for five minutes towards Lebanese territory.

Sea violations

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
1 February 2014	1845	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 20 seconds.
17 February 2014	1102 1151	Two Israeli enemy military launches violated Lebanese territorial waters off Ra's al-Naqurah. They proceeded for some five metres past the line of buoys that had been installed by the Israeli enemy. Two divers descended into the water, violating Lebanese territorial waters by approximately five metres. The two military launches

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
		then departed, heading towards occupied Palestinian territorial waters.
18 February 2014	1840	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 20 seconds.
27 February 2014	2130 2145	An Israeli enemy military launches inside occupied Palestinian territorial waters fired several tracer rounds of medium machine-gun fire towards Lebanese territorial waters.

Air violations

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
1 February 2014	0640	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 0925 hours over Rumaysh.
	1300	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1535 hours over Naqurah.
2 February 2014	1530	Two Israeli enemy warplanes violated Lebanese airspace, entering over Aytarun. They circled over all regions of Lebanon before leaving at 1725 hours over Aytarun.
5 February 2014	0645	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1720 hours on 6 February 2014 over Rumaysh.
	0845	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and Hirmil before leaving at 1400 hours over Naqurah.
	0955	Two Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh. They circled over all regions of Lebanon before leaving at 1040 hours over Naqurah.
	1005	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Iqlim al-Kharrub and the South before leaving at 1420 hours over Kafr Killa.
	1600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and the South before leaving at 0130 hours on 6 February 2014 over Rumaysh.
	1950	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2350 hours over Kafr Killa.

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
	2315	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Iqlim al-Kharrub and the South before leaving at 0550 hours on 6 February 2014 over Rumaysh.
6 February 2014	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1315 hours over Alma al-Sha'b.
	0645	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Riyaq and Baalbek before leaving at 1720 hours over Rumaysh.
	1855	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2350 hours over Kafr Killa.
	1900	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 2358 hours over Naqurah.
7 February 2014	0910	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Shuba. It circled over Riyaq, the Western Bekaa and the South before leaving at 1330 hours over Alma al-Sha'b.
	1710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Zahlah before leaving at 0300 hours on 8 February 2014 over Alma al-Sha'b.
8 February 2014	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the Western Bekaa, the South, Riyaq and Baalbek before leaving at 1740 hours over Kafr Killa.
	1700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq and Baalbek before leaving at 2100 hours over Rumaysh.
9 February 2014	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq and Baalbek before leaving at 1800 hours over Alma al-Sha'b.
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1430 hours over Rumaysh.

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
	0900	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut and its suburbs, Jubayl and Batrun before leaving at 1400 hours over Rumaysh.
	1205	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1330 hours over Alma al-Sha'b.
	1705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1915 hours on 10 February 2014 over Alma al-Sha'b.
	2115	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Naqurah. It circled over the sea off Damur and Tyre, then over the South before leaving at 2315 hours over Kafr Killa.
10 February 2014	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 0030 hours on 11 February 2014 over Naqurah.
	0900	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the occupied Shab'a Farms. It circled over Hasbayya, Marj Uyun, Riyaq, Baalbek, Hirmil and Akkar before leaving at 1545 hours over Aytarun.
	0925	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1140 hours over Alma al-Sha'b.
	2230	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek and Beirut and its suburbs before leaving at 1400 hours on 11 February 2014 over Naqurah.
11 February 2014	0605	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq and Baalbek before leaving at 1605 hours over Alma al-Sha'b.
	0920	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Jubayl. They left at 0930 hours over the sea off Shikka, heading towards Turkey.
	1415	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and the South before leaving at 2225 hours over Rumaysh.

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
	1930	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Yarun. It circled over the South before leaving at 0010 hours on 12 February 2014 over Alma al-Sha'b.
12 February 2014	0230	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1600 hours over Rumaysh.
	1410	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and the South before leaving at 2345 hours over Rumaysh.
	2215	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq and Baalbek before leaving at 1635 hours on 13 February 2014 over Alma al-Sha'b.
13 February 2014	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Hirmil before leaving at 1830 hours over Naqurah.
	1005	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1135 hours over Alma al-Sha'b.
	1630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq and Baalbek before leaving at 0725 hours on 14 February 2014 over Rumaysh.
14 February 2014	0725	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1515 hours over Rumaysh.
	1325	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea off Beirut. They circled over all regions of Lebanon before leaving at 1405 hours over the sea to the west of Naqurah.
	1930	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq and Baalbek before leaving at 0725 hours on 15 February 2014 over Rumaysh.
17 February 2014	0640	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Beirut and its suburbs before leaving at 1910 hours over Naqurah.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Baalbek, Hirmil and the South before leaving at 1805 hours over Alma al-Sha'b.

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
18 February 2014	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek, Hirmil and Al-Arz before leaving at 1630 hours over Naqurah.
	1140	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea off Shikka. They circled over all regions of Lebanon before leaving at 1305 hours over the sea off Naqurah.
	1535	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Aytarun. It circled over Riyaq and Baalbek before leaving at 1735 hours over Kafr Killa.
19 February 2014	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Zahlah and Beirut and its suburbs before leaving at 1800 hours over Naqurah.
	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Hirmil before leaving at 1815 hours over Rumaysh.
	0905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1340 hours over Rumaysh.
	1630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq and Baalbek before leaving at 0530 hours on 20 February 2014 over Rumaysh.
	1920	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Matn, Zahlah and Riyaq before leaving at 0210 hours on 20 February 2014 over Rumaysh.
20 February 2014	0315	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and the South before leaving at 1300 hours over Rumaysh.
	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1500 hours over Kafr Killa.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Beirut and its suburbs before leaving at 2330 hours over Kafr Killa.
	0740	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea to the west of Juniyah. It circled over the sea between Khaldah and Juniyah before leaving at 1700 hours over the sea to the west of Naqurah.

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
	0940	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1110 hours over Naqurah.
	1000	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2120 hours over Rumaysh.
21 February 2014	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq and Baalbek before leaving at 1635 hours over Rumaysh.
	1510	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 0755 hours on 22 February 2014 over Kafr Killa.
22 February 2014	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1940 hours over Rumaysh.
	1820	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq and Baalbek before leaving at 0515 hours on 23 February 2014 over Naqurah.
23 February 2014	0200	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South, the Western Bekaa, Riyaq and Baalbek before leaving at 1220 hours over Rumaysh.
	1110	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 2000 hours over Alma al-Sha'b.
24 February 2014	0550	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the Shuf, the South, Riyaq and Baalbek before leaving at 1900 hours over Kafr Killa.
	0605	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq and Baalbek before leaving at 0735 hours over Naqurah.
	1115	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek and Beirut and its suburbs before leaving at 0015 hours on 25 February 2014 over Alma al-Sha'b.
	1120	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1245 hours over Alma al-Sha'b.

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
	2150	Four Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Shikka. They headed east as far as Baalbek and Hirmil in the Bekaa and circled over all regions of Lebanon before leaving at 2225 hours over the sea off Naqurah.
	2220	Israeli enemy warplanes violated Lebanese airspace and raided the outskirts of Janta, firing several rockets inside Lebanese territory.
	2300	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1000 hours on 25 February 2014 over Rumaysh.
25 February 2014	0900	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South, Riyaq, Baalbek and Hirmil before leaving at 2125 hours over Alma al-Sha'b.
	2110	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Riyaq and Baalbek before leaving at 0805 hours on 26 February 2014 over Alma al-Sha'b.
26 February 2014	0730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South, Riyaq and Baalbek and then again over the South before leaving at 1730 hours over Rumaysh.
	1735	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South, the Kasrawan district and Riyaq and then again over the South before leaving at 0645 hours on 27 February 2014 over Naqurah.
27 February 2014	0220	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 0855 hours over Alma al-Sha'b.
	0515	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 0620 hours over Naqurah.
	0645	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Baalbek, Kasrawan and Riyaq before leaving at 1320 hours over Rumaysh.
	1220	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South, Riyaq and Baalbek and then again over the South before leaving at 2340 hours over Rumaysh.

<i>Date</i>	<i>Time</i>	<i>Nature of violation</i>
28 February 2014	1900	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 0640 hours on 28 February 2014 over Rumaysh.
	2225	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 0345 hours on 28 February 2014 over Naqurah.
	2325	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1315 hours on 28 February 2014 over Rumaysh.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1700 hours over Alma al-Sha'b.
	0725	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2220 hours over Rumaysh.
	2200	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 0935 hours on 1 March 2014 over Alma al-Sha'b.



Security Council

Distr.: General
17 April 2014

Original: English

**Letter dated 16 April 2014 from the Permanent Representative of
the United Arab Emirates to the United Nations addressed to the
President of the Security Council**

I have the honour to transmit to you a letter from Mr. Najib Ghadbian, Special Representative of the Syrian Coalition, dated 16 April 2014 (see annex).

I would be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(Signed) Lana **Nusseibeh**
Ambassador
Permanent Representative



Annex to the letter dated 16 April 2014 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the President of the Security Council

On behalf of the National Coalition of Syrian Revolution and Opposition Forces, it is my grave responsibility to draw to your attention the urgent need for an immediate investigation into the recent use of chemical agents by Syrian regime forces in the Syrian town of Kafr Zita.

On Friday, 11 April 2014, Syrian regime aerial forces bombarded the opposition-held town of Kafr Zita with explosive barrels loaded with chemical and toxic gases. Witnesses present at the site have stated that the explosions produced thick yellow-coloured smoke and strong odors, with victims displaying symptoms ranging from suffocation and choking to vomiting, foaming at the mouth and, in several cases, hypertension.

It is highly likely that the chemical agent responsible for causing such suffering was chlorine gas. This dual-use chemical is lethal when deployed for military purposes. Its usage as a chemical weapon constitutes a war crime, as defined by the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed in Geneva on 17 June 1925, and to which Syria acceded on 22 November 1968. Moreover, the use of chlorine gas as a chemical weapon of war represents a direct violation of United Nations Security Council resolution 2118 (2013), in which the Security Council decided that the Syrian regime "shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons".

Of the 200 victims of the 11 April 2014 attacks in Kafr Zita, a majority were innocent civilians. The Syrian regime cannot be permitted to deploy this lethal agent of war with impunity. Failure to act today will only condemn more civilians to future chemical weapons attacks by the Syrian regime. It is therefore incumbent upon the Security Council to mandate without delay an independent investigation into the Kafr Zita attacks. This investigation should be charged with verifying the circumstances of the 11 April 2014 tragedy and be empowered to determine the party responsible for ordering these illegal aerial attacks.

As per the Syrian Coalition's letter to members of the Council on 11 April 2014 (S/2014/274), it remains imperative that independent inspectors from the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Mission visit the Syrian Scientific Studies and Research Centre charged with producing Syria's chlorine gas. Such a visit would allow Joint Mission investigators to determine with greater accuracy the full extent of the Syrian regime's chemical weapons arsenal and the status of its alleged compliance with Security Council resolution 2118 (2013).

The Syrian Coalition and its partner, the Free Syrian Army, remain committed to cooperating fully with the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Mission, and we stand ready to facilitate an independent investigation by United Nations monitors in the town of Kafr Zita. Should the Syrian regime be found to have deployed chemical weapons against innocent civilians in the Syrian town of Kafr Zita, we trust that the Security Council will impose measures under Chapter VII of the Charter of the United Nations, as required by Security Council resolution 2118 (2013).

(Signed) **Najib Ghadbian**
Special Representative of the Syrian Coalition
to the United Nations

**Security Council**

Distr.: General
21 April 2014

Original: English

Letter dated 17 April 2014 from the Permanent Representatives of Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland to the United Nations addressed to the President of the Security Council

We, the undersigned representatives of Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland (the Group of Like-Minded States on Targeted Sanctions), are writing to you on the issue of Security Council sanctions. Our Group is strongly committed to the effective implementation of the Council's sanctions regimes and closely follows the developments in the Al-Qaida and other sanctions regimes of the Council and the developments regarding United Nations sanctions at the level of national and regional courts. It is our belief that as long as national and regional courts consider United Nations sanctions to fall short of the minimum standards of due process, national authorities may find themselves legally unable to fully implement such sanctions at the national level. In that light, we would like to submit to Council members the attached paper entitled "Improving fair and clear procedures for a more effective United Nations sanctions system" (see annex).

We hope that the Security Council will find interest in our paper, in particular in the context of the upcoming consultations and negotiations in preparation for the adoption of a follow-up resolution to Council resolution 2083 (2012). We look forward to continuing and deepening the dialogue on this important matter with all members of the Council.

We should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) **Martin Sajdik**
Ambassador

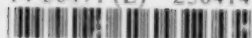
Permanent Representative of Austria to the United Nations

(Signed) **Bénédicte Frankine**
Ambassador

Permanent Representative of Belgium to the United Nations

(Signed) **Eduardo Ulibarri**
Ambassador

Permanent Representative of Costa Rica to the United Nations



(Signed) **Ib Petersen**
Ambassador
Permanent Representative of Denmark to the United Nations

(Signed) **Jarmo Viinanen**
Ambassador
Permanent Representative of Finland to the United Nations

(Signed) **Harald Braun**
Ambassador
Permanent Representative of Germany to the United Nations

(Signed) **Christian Wenaweser**
Ambassador
Permanent Representative of Liechtenstein to the United Nations

(Signed) **Karel Jan Gustaaf van Oosterom**
Ambassador
Permanent Representative of the Kingdom of
the Netherlands to the United Nations

(Signed) **Geir O. Pedersen**
Ambassador
Permanent Representative of Norway to the United Nations

(Signed) **Mårten Grunditz**
Ambassador
Permanent Representative of Sweden to the United Nations

(Signed) **Paul Seger**
Ambassador
Permanent Representative of Switzerland to the United Nations

Annex to the letter dated 17 April 2014 from the Permanent Representatives of Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland to the United Nations addressed to the President of the Security Council

Improving fair and clear procedures for a more effective United Nations sanctions system

Input paper by the Group of Like-Minded States on Targeted Sanctions (Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland)

Executive summary

The Group of Like-Minded States on Targeted Sanctions believes that as long as national and regional courts consider United Nations sanctions to fall short of the minimum standards of due process, national authorities may find themselves legally unable to fully implement them at the national level. In that light, the Group submits the following proposals to further improve due process:

- (a) The Office of the Ombudsperson should be made permanent and the contractual arrangements for the position of the Ombudsman should be modified;
- (b) Information-sharing between Member States and the Ombudsperson as well as between the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities or Member States and national regional courts should be improved;
- (c) Transparency should be enhanced, namely, all decisions should contain adequate and substantial reasons and those reasons, as well as a redacted version of the comprehensive report, should be made publicly available;
- (d) In the course of the triennial review, the Committee should actively confirm each listing and in case a listing is not reviewed and confirmed within the required three-year period, it should automatically be deleted;
- (e) Ultimately, the Ombudsperson should be provided with the authority to decide whether to maintain a listing or delist an individual or entity;
- (f) Due process should also be improved in other sanctions regimes.

I. Introduction

Targeted sanctions continue to serve as an important tool for the Security Council in exercising its primary responsibility for the maintenance of international peace and security under Chapter VII of the Charter of the United Nations. The Council has significantly enhanced fair and clear procedures within the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities. The establishment and strengthening of the Ombudsperson process by Council resolutions 1904 (2009), 1989 (2011) and 2083 (2012) were important steps toward an independent and effective sanctions review mechanism. The Office of the Ombudsperson makes a

valuable contribution to the accuracy and legitimacy of the Al-Qaida Sanctions List and thus to its effectiveness.

Nevertheless, considerable due process concerns persist and legal challenges have been filed in national jurisdictions around the world.¹ In Europe, both the European Court of Human Rights and the Court of Justice of the European Union confirmed in recent judgments — regarding the Al-Qaida sanctions regime but also with regard to a country-related sanctions regime² — that in the implementation of United Nations measures, actions of Member States remain subject to full judicial review as to their conformity with fundamental norms of due process. Those fundamental norms include, among others, respect for the right to be heard and other rights of the defence (right to have access to the file, subject to legitimate interests in maintaining confidentiality; right to ascertain the reasons for a decision) and the right to an effective remedy. It is possible to limit those rights, subject to the condition that this limitation pursues a legitimate aim, respects the principle of proportionality (including with regard to the duration of the measures) and does not infringe on the essence of the right in question.

As long as national and regional courts consider United Nations sanctions to fall short of the minimum standards of due process, national authorities may find themselves legally unable to fully implement them at the national level. This situation threatens the uniform and universal application of United Nations sanctions and needs to be addressed. Based on these considerations and in line with the continuous need to ensure due process in United Nations sanctions regimes, the Group of Like-Minded States on Targeted Sanctions invites the Security Council and Member States, where relevant, to consider the following proposals aimed at further improving the Ombudsperson process.

II. Proposals

A. Make the Office of the Ombudsperson permanent

The Office of the Ombudsperson should be made permanent and the contractual arrangements for the position of the Ombudsperson should be modified and improved. The status and privileges of the position should fully reflect the independence required to perform the tasks of the Ombudsperson effectively.

¹ See for example: Federal Court of Canada, *Abdelrazik v. the Minister of Foreign Affairs and the Attorney General of Canada* (4 June 2009) 2009 FC 580, para. 51. The action brought by the Al Rashid Trust remains pending in the Supreme Court of Pakistan on appeal by the Government from an adverse decision of 2003 and the similar challenge brought by Al-Akhtar Trust International remains pending before a lower court (See S/2014/41, annex, para. 7).

² See: European Court of Human Rights (Grand Chamber), *Nada v. Switzerland*, Application No. 10593/08, 12 September 2012; European Court of Human Rights (Chamber), *Al-Dulimi v. Switzerland*, Application No. 5809/08, 26 November 2013; Court of Justice of the European Union, *European Commission and United Kingdom of Great Britain and Northern Ireland v. Yassin Abdullah Kadi*, Joined Cases C-584/10 P, C-593/10 P and C-595/10 P, 18 July 2013. For reference purposes, please find a brief unofficial summary of the main reasoning/arguments of the courts in the enclosure to the annex.

The measures described in paragraph 1 of Security Council resolution 2083 (2012)³ on the other hand should continue to be reviewed every 18 months. Also, the contract term for the holder of the position of Ombudsperson should be reviewed every 36 months.

Currently, the individual selected by the Secretary-General to fulfil the role of Ombudsperson is hired on the basis of a consultancy contract. The current contractual arrangements fail to fully implement the Security Council resolutions and significantly impair the ability of the Ombudsperson to fulfil the mandate, in particular in terms of independence.⁴ Making the Office permanent would give more weight and credibility to the Ombudsperson's work, enhance her or his independence and solve important administrative hurdles such as the funding of the Office. Nevertheless, a regular review of the extent and content of the mandate is necessary in order to adjust the Office to new and changing developments.

The provision to the Office of the Ombudsperson of resources necessary to fulfil the mandate of the Ombudsperson, including funds for translation and interpretation, should be timely. The general guidelines as to word limits for translation, applicable to parliamentary documents in the United Nations system, should not be applied to the comprehensive reports of the Ombudsperson.

Translation and interpretation in all relevant languages is an essential feature of due process. Lack of resources and funds for interpretation and translation impedes communication between the Ombudsperson and the petitioner. This proposal was only partially included in resolution 2083 (2012) (para. 22). There is still a word limitation which infringes on the independence of the Ombudsperson.

³ Namely, the obligations of Member States to take certain measures with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with them (namely, asset freeze, travel ban and arms embargo).

⁴ In more detail, this means:

(a) The contract of the Ombudsperson is a generic one applicable to all experts appointed to panels and expert groups assisting the Security Council in the field of sanctions. Since the Ombudsperson is merely a consultant, she or he cannot carry out any managerial functions in terms of staff members assigned to assist her or him or with reference to the administration of the Office. Structurally and despite the language in the relevant resolutions, the Office of the Ombudsperson has not been created. The frailties of these arrangements were recently exposed when a directive was issued by Department of Political Affairs officials to staff members requiring substantive trip reports for any travel with the Ombudsperson. Such reports directly interfere with the independence of the Ombudsperson and endanger confidentiality, which is critical to her work;

(b) The Ombudsperson and related Office has no dedicated budget and is allotted funds through a budget which, by title, is that of the Analytical Support and Sanctions Monitoring Team that assists the 1267 Committee. The Ombudsperson has no authority to manage the budget and is only implicated in the budget process at the discretion of Department of Political Affairs officials. This arrangement leaves the Ombudsperson vulnerable from a budgetary perspective and must be considered prejudicial to his or her or his independence;

(c) The current contractual arrangements do not provide for benefits (medical or other insurance, pension), paid leave, sick leave or moving expenses, and they figure on the lowest possible hierarchical level in terms of travel allowances. Furthermore, no United Nations travel documentation beyond a certificate that the person is a consultant is provided for, depriving the Ombudsperson of diplomatic privileges when travelling outside the United States of America. For all these reasons, it is unlikely that the current contractual arrangements will attract candidates with the necessary skill mix and experience for the position of the Ombudsperson in the future.

B. Improve information-sharing**1. From Member States to the Ombudsperson**

The Security Council should encourage Member States to provide all the information available to the Ombudsperson and enter into confidentiality agreements or arrangements with the Ombudsperson.

The standard developed by the Ombudsperson for her or his analysis, observations and conclusions is to make an assessment of whether there is sufficient information to provide a reasonable and credible basis for the listing. Based on all the information available in the present day, the Ombudsperson determines whether a continued listing is justified. Member States' cooperation with the Ombudsperson in terms of information-sharing and the provision of confidential material must be further improved. The level of detail and supporting information should be enhanced. Further progress should be made with regard to access to confidential information. The Like-Minded Group notes that for more than a year, only one additional confidentiality arrangement with the Office of the Ombudsperson has been concluded and thus encourages Member States to redouble their efforts in this regard.

2. From the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities and Member States to national or regional courts

It is important that the flow of information from the sanctions Committee and relevant Member States to national or regional courts be achieved when there are proceedings at the national or regional levels.

Challenges at a national or regional level that have already been filed might continue. Moreover, it is not unlikely that petitioners will file new claims as well. In that event, national or regional courts would be much better equipped to uphold United Nations-based listings if they had access to (at least parts of) the material on which the Committee's listing decision was based.

C. Enhance the transparency of the Ombudsperson process

Domestic, regional and international courts and tribunals need to be able to determine whether the Ombudsperson process constitutes an effective remedy for the affected individuals and entities. Only then will they be in a position to judge and acknowledge that the United Nations system provides for adequate protection of fundamental due process rights. In order to enable them to do this, the transparency of the Ombudsperson process has to be further strengthened including by publishing the comprehensive report as well as the reasoning behind each decision.

1. Reasoning behind decisions to delist or to maintain a listing

All decisions regardless of whether they maintain a listing or delist an individual or entity should contain adequate and substantial reasons.

Where a listing is maintained or a petitioner is delisted on the basis of the recommendation by the Ombudsperson, the Ombudsperson should provide the reasons for that determination to the petitioner without undue delay, with appropriate safeguards regarding confidential material.

In case the Committee decides not to follow the recommendation by the Ombudsperson, it should provide the reasons to the petitioner through the Ombudsperson without undue delay, with appropriate safeguards regarding confidential material.

Lastly, provision should be made for the Ombudsperson to make the reasons publicly available or to disseminate them to interested individuals, States or other bodies, with appropriate safeguards regarding confidential material.

In all communications with the petitioner, interested individuals, States or other bodies, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

It is particularly important to inform the petitioner about the reasons behind a decision to maintain a listing. Only then is the petitioner able to change her or his behaviour and to successfully request delisting at a later stage. Resolution 2083 (2012) acknowledges this in principle (para. 14 of annex II). However, the reasons are provided by the Committee through the Ombudsperson with significant delay and with limited factual and analytical references. Where the recommendation of the Ombudsperson is followed, the Ombudsperson is in the most advantageous position to prepare and provide the reasons to the petitioner. Therefore, the Ombudsperson should provide the reasons based on the comprehensive report directly to the petitioner. This would enhance timeliness and transparency as well as ensure coherence between the comprehensive report and the reasons. Where the recommendation of the Ombudsperson is not followed, the Ombudsperson should also be made aware — in addition to the petitioner — of the actual and specific reasons of a decision by the Committee, since these reasons may have a bearing in the assessment of other cases. Otherwise, there is a risk of inconsistency between the practice of the Ombudsperson and the practice of the Committee.

Since the petitioner is provided with the reasons for a delisting or the maintaining of a listing and is free to pass those reasons on, they may as well be made publicly available. This would further enhance the transparency and credibility of the Ombudsperson process.

2. Publication of a redacted version of the comprehensive report

A redacted version of the comprehensive report of the Ombudsperson should be published, allowing for legitimate privacy, security and confidentiality interests to be adequately protected.

At present, the comprehensive report is not made available to interested States, the petitioner or the public. As a result, the reasoning of the Ombudsperson is not generally available. Publishing a redacted version of the comprehensive report of the Ombudsperson would enhance the transparency of the Ombudsperson process. Prior to publication, the designating State(s) and other Member States that delivered confidential information would have to give their approval with regard to the parts of the redacted report that contains or is based on such confidential information.

The publication of the redacted report is particularly important in cases where a listing was maintained. In fact, increased transparency at the United Nations level through the availability of the reasoning followed by the Ombudsperson would most likely reduce the number of (successful) challenges in national and regional courts,

given that the courts would be able to have a better understanding of the proceedings at the United Nations level, namely, what conclusions were drawn and, more importantly, how they were determined.

D. Review and time limits of all listings

The Committee must continue to conduct the triennial review in a timely and thorough manner and regularly inform Member States about the results of all reviews referred to in resolution 2083 (2012). In the course of the review, the Committee should actively confirm each listing in order to maintain it on the list. In so doing, the Committee should give reasons why a listing remains appropriate. In case a listing is not reviewed and confirmed within the required three-year period, it should automatically be deleted.

The outcome of the triennial review is highly dependent on arguments provided by and the cooperation of the designating State. Currently, the Committee needs to take a decision to remove a listing under review: in case of inaction, the listing remains. Requiring active confirmation by the Committee would mean that the Committee has to decide to maintain the listing. That is to say, if there is no consensus within the Committee to maintain the listing, the individual or entity will be delisted. Introducing a higher threshold to maintain a listing would underline the preventive and temporary nature of the sanctions measures.

III. Ultimate objectives

A. Enable the Ombudsperson to take effective delisting decisions

The Ombudsperson should be provided with the authority to decide whether to maintain a listing or delist an individual or entity.

With a view to avoiding future national or regional court judgements that strike down measures implementing United Nations sanctions owing to the lack of conformity with due process norms and other fundamental rights, the Ombudsperson should be given decision-making power with regard to delisting requests. Otherwise, the Committee would retain the possibility to act as the judge in its own cause, which is not in conformity with the right to an effective remedy. On the other hand, nothing would prevent the Committee from relisting the individual or entity if new facts emerge after a delisting decision.

B. Provide for the Ombudsperson process as a first remedy

Member States and relevant international organizations and bodies should encourage individuals or entities that consider challenging their listing through national and regional courts to first seek removal from the Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson before or at least in parallel to instigating court proceedings.

If the Ombudsperson were given the authority to decide whether to maintain a listing or delist an individual or entity and the procedures were in conformity with basic norms of due process, it clearly would be more advantageous to petitioners to submit their delisting requests at the United Nations level rather than in national or regional courts. To a certain extent, this is already the case today. The time frames of the Ombudsperson process are relatively narrow: within nine months (at the

most) of depositing her or his request, the petitioner is granted a decision with regard to her or his delisting; national procedures, on the other hand, may take several years. Therefore, it is the Ombudsperson process that should be seized first by individuals or entities petitioning for a delisting.

Resolution 2083 (2012) incorporates this idea in paragraph 24 in that it requests that Member States and relevant international organizations and bodies encourage individuals and entities that are considering challenging or are already in the process of challenging their listing through national and regional courts to seek removal from the Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson. This could be emphasized and combined with stronger wording. Ways should be explored whereby courts (national or regional) would suspend their proceedings while a case is pending before the Ombudsperson.

IV. Improve due process in other sanctions regimes

A. Extension of the mandate of the Ombudsperson to other sanctions regimes

Gradually extending the important procedural safeguards of the Ombudsperson process to other appropriate sanctions regimes should be considered. Accordingly, consideration should be given to equipping the Office of the Ombudsperson with adequate resources.

Currently, only individuals and entities listed on the Al-Qaida Sanctions List have access to the Ombudsperson process. Yet, similar due process concerns exist in other Security Council sanctions regimes. Some of the country-specific sanctions regimes do not in fact target a country or its regime and its policies. Instead, they target persons, groups and entities in stark and often violent opposition to the internationally recognized Government and its policies. Thus, they do not enjoy the protection of their rights and interests that a Government with access to diplomatic channels and representation at the United Nations would normally offer. Persons listed under those Security Council sanctions regimes have also started to challenge their listing under legal acts implementing Council designations. In November 2013, the European Court of Human Rights decided the *Al-Dulimi* case relating to Security Council resolution 1483 (2003) on Iraq. The Chamber declared that the focal point procedure did not offer equivalent protection of fundamental rights. The Security Council should therefore consider the possibility of extending the mandate of the Ombudsperson to other (appropriate) regimes on the occasion of their next mandate renewals. The possibility of adapting the mandate of the Ombudsperson to the various sanctions regimes should also be explored.

B. Introduce due process safeguards for listing and delisting procedures in other sanctions regimes

When proposing names to a sanctions Committee for inclusion on a Consolidated List, Member States should be required to provide a detailed statement of case. Member States should identify the parts of the statement of case that may be publicly released and the parts that may be released upon request to interested States.

After a name is added to a Consolidated List, a narrative summary of reasons for listing should be made accessible on the Committee's website.

The Secretariat shall notify the permanent mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national. Subsequently, those Member States should notify or inform in a timely manner the listed individual or entity of the designation. The notification/information should include a copy of the publicly releasable portion of the statement of case, the summary of reasons, a description of the effects of designation and information on where to submit a delisting request.

In addition to the possibility of submitting a delisting request to the/an Ombudsperson, other basic due process safeguards should be introduced in other sanctions regimes as well.

C. Extension of the “holds procedure” time limits adopted by the 1267/1989 Committee to other sanctions regimes

The Security Council should direct all sanctions Committees to amend their guidelines to ensure that no decision to maintain a listing or to delist is left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration. Accordingly, all sanctions Committees should amend their guidelines following the model of the guidelines of the 1267/1989 Committee.

The right to have cases decided within a reasonable time is an essential element of due process. The past practice in the 1267/1989 Committee of placing holds on proposed decisions, some of which were left undecided for years, was successfully put to an end in 2010. Extending time limits for placing holds on proposed decisions to all sanctions Committees would be an important element of due process and would significantly strengthen the fairness and transparency of decision-making in all sanctions Committees.

Enclosure

Summary of main arguments of the European Court of Human Rights and the Court of Justice of the European Union

European Court of Human Rights, *Nada v. Switzerland* September 2012

- Article 13 of the European Convention on Human Rights demands that there must be a remedy allowing the competent national authority both to deal with the substance of the relevant Convention complaint and to grant appropriate relief (para. 207).
- Article 13 seeks to ensure that anyone who makes an arguable complaint about a violation of a Convention right will have an effective remedy in the domestic legal order (para. 208).
- The European Court of Human Rights then cites the Swiss Federal Court: "Delisting procedure of the United Nations is not an effective remedy within the meaning of article 13 of the European Convention on Human Rights" (para. 211). (However, the Swiss Federal Court's statement was made in 2007, namely, before the establishment of the Office of the Ombudsperson).
- The Swiss authorities did not examine the merits of the applicant's complaints concerning the alleged violation of the Convention (para. 210).
- There was nothing in the Security Council resolutions to prevent the Swiss authorities from introducing mechanisms to verify the measures taken at the national level pursuant to those resolutions (para. 212).

Court of Justice of the European Union, *European Commission and United Kingdom of Great Britain and Northern Ireland v. Yassin Abdullah Kadi*, July 2013

- The Court notes that with regard to the listing/the decision to maintain the listing, only the narrative summary of reasons was provided to the authorities that are obliged to implement the resolution. No other evidence was provided (paras. 107-110).
- The authorities are obliged to disclose the summary of reasons to the applicant (para. 111) and to ensure that the applicant is in a position in which he or she may effectively make known his or her views on those reasons (para. 112).
- Further, the authorities must examine whether those reasons are well-founded (para. 114).
- For this careful and impartial examination, the Committee and the designating State must disclose the relevant information and evidence (para. 115). The allegations factored in the summary of reasons must be verified, namely, it must be assessed whether at least one of the reasons is substantiated. If not enough information is disclosed, the decision will be based solely on the material that has been disclosed (para. 119).
- Such a review by national authorities is all the more essential since, despite additional improvements (in particular after the adoption of the contested regulation, namely, after 28 November 2008), the procedure for delisting and ex officio re-examination at the United Nations level do not provide the guarantee of effective judicial protection (para. 133).

- The essence of effective judicial protection must mean to obtain a declaration from a court by means of a judgement ordering annulment whereby the contested measure is retroactively erased from the legal order and is deemed never to have existed; that the listing of a person's name or the continued listing of her or his name on the list concerned was vitiated by illegality, the recognition of which may re-establish the reputation of that person or constitute a form of reparation for the non-material harm she or he has suffered (para. 134).

European Court of Human Rights, *Al-Dulimi v. Switzerland*, November 2013

- States parties to the European Convention on Human Rights are not prevented from transferring competences to international organizations. However, they remain responsible under the Convention for all acts and omissions of their own organs, regardless of whether they result from an obligation deriving from their membership in the international organization. If the organization offers protection of fundamental rights that is equivalent to the European Convention on Human Rights, it is presumed that the State acted in conformity with the Convention if it simply implements its obligations deriving from its membership. Where the State has discretion, on the other hand, all acts have to be in strict conformity with the European Convention on Human Rights (para. 114).
- Security Council resolution 1483 (2003) leaves no discretion to United Nations Member States (para. 117). The requirement of equivalent protection also applies to the United Nations (para. 116).
- The focal point mechanism does not provide for equivalent protection. The Court endorses the conclusion of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism that the 1267 regime does not guarantee the respect of the minimal standard (even after resolution 1989 (2011)). A fortiori, the 1483 regime cannot be said to provide for equivalent protection either (paras. 118-120).
- As a result, the Court examines whether the applicant's right to a remedy has been violated. The Court concludes that the lack of equivalent protection at the United Nations level was not compensated by the national proceedings, as the Swiss Federal Court did not review the lawfulness of the measures taken. Special consideration was thereby given to the time that had elapsed since the asset freeze had been implemented (proportionality) (paras. 126-134).



Security Council

Distr.: General
17 April 2014

Original: English

Letter dated 17 April 2014 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I have the honour to write to transmit to you a letter from the representative of the Syrian Coalition dated 17 April 2014 (see annex).

I would be grateful if you could have this and the accompanying letter from the Syrian Coalition circulated as a document of the Security Council.

(Signed) Mark Lyall Grant



Annex to the letter dated 17 April 2014 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

On behalf of the National Coalition of Syrian Revolution and Opposition Forces, it is my grave responsibility to draw to your attention the Syrian regime's brutal assault on the city of Homs and the urgent need for the Security Council to take immediate steps to stop the death and destruction currently under way in Syria.

As the Joint Special Representative for Syria remarked this morning, Homs has once again become a "theatre of death and destruction". Earlier this week, Syrian armed forces backed by pro-regime militia entered the central city of Homs to resume and complete a deadly two-year siege. In direct violation of Security Council resolution 2139 (2014), Syrian armed forces bombarded neighbourhoods throughout the Old City, deploying aerial weapons in brazen disregard of their civilian inhabitants. At present, hundreds of Syrians remain trapped inside the city confines, awaiting what is almost certain death by a regime that has no concern for the lives of its people.

The Syrian regime's brutal siege of Homs represents a direct violation of Security Council resolution 2139 (2014), in which members of the Council unanimously demanded that the Syrian regime "immediately lift the sieges of populated areas, including in the Old City of Homs (Homs)". The Security Council must act urgently to follow through on its stated "intent to take further steps in the case of non-compliance", as stipulated in paragraph 17 of Security Council resolution 2139 (2014). Without immediate action by the Security Council to stop the slaughter in Homs, hundreds of innocent lives will be lost. The people of Homs urgently appeal to the Council to take concrete measures to protect the people of Syria. We urge the Council to take the following steps:

(a) Send a clear message to the regime that failure to cease its deadly offensives immediately will result in swift and decisive Chapter VII measures. Given the urgency of the situation, this warning needs to be agreed and adopted by the Council today;

(b) Should the regime fail to comply with the Council's request, the Council should meet again tomorrow to agree upon and adopt a Chapter VII resolution imposing wide-ranging sanctions on the regime and threatening further steps if the situation continues;

(c) Mandate with immediate effect the delivery of humanitarian aid to those in need without discrimination and without the consent of the regime. The regime's policy of arbitrary denial of access and its determination to significantly worsen rather than improve the humanitarian situation make such a move not only necessary but obligatory. The legal justification for delivery without consent in any case exists. But a Council mandate would nevertheless send a strong signal to the regime; and

(d) Refer the situation in Syria to the International Criminal Court. The lack of accountability and consequences for heinous crimes only makes the escalation of such crimes more likely.

It saddens me to write that the failure of the Security Council to use its considerable collective weight thus far has certainly cost many innocent Syrian lives, allowed a humanitarian catastrophe to unfold, and threatened regional and international security. Taking the steps above gives a chance to de-escalate the situation and open up the space for a negotiated solution. It should not be incumbent upon us to lay these steps out for you. This has been the business of the Security Council since its inception. We urge you to fulfil your responsibilities. Save lives. Protect innocent civilians. Encourage peace and security. The alternative is to condemn the Security Council to serve as a mere spectator of horror, destruction, the death of a nation and the chaos of a region.

(Signed) **Najib Ghadbian**
Special Representative of the Syrian Coalition
to the United Nations

**Security Council**

Distr.: General
21 April 2014

Original: English

Letter dated 17 April 2014 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2144 (2014), by which the Council decided to extend until 13 April 2015 the mandate of the Panel of Experts on Libya, originally appointed pursuant to resolution 1973 (2011). I also have the honour to refer to Security Council resolution 2146 (2014), pursuant to which the Council added a sixth expert to the Panel.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, I have appointed the following experts:

Mr. Ali Ahmida (United States of America), regional
Mr. Shamim Akhtar (Pakistan), maritime/transport
Mr. Simon Dilloway (United Kingdom of Great Britain and Northern Ireland),
finance
Mr. Khalil Msan (Lebanon), arms
Mr. Steven Spittaels (Belgium), finance
Ms. Savannah de Tessières (France), arms.

I have also designated Mr. Dilloway to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) **BAN Ki-moon**



**General Assembly
Security Council**Distr.: General
24 April 2014

Original: English

General Assembly
Tenth emergency special session
Agenda item 5**Security Council**
Sixty-ninth year**Illegal Israeli actions in Occupied East Jerusalem and
the rest of the Occupied Palestinian Territory****Identical letters dated 21 April 2014 from the Permanent Observer
of the State of Palestine to the United Nations addressed to the
Secretary-General and the President of the Security Council**

I have the honour to attach hereto a letter, dated 21 April 2014, addressed to you from Riad Malki, Minister for Foreign Affairs of the State of Palestine, on the brutal and repressive actions by Israel, the occupying Power, against Palestinian Christians during Easter celebrations in Occupied East Jerusalem (see annex).

Please note that the annexed letter is a follow-up to our previous 493 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 16 April 2014 (A/ES-10/624-S/2014/280) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) **Riyad Mansour**
Ambassador, Permanent Observer of
the State of Palestine to the United Nations



**Annex to the identical letters dated 21 April 2014 from the
Permanent Observer of the State of Palestine to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

On this Easter Sunday, I write to convey to you the sad and frustrating circumstances under which Palestinians celebrated this holy occasion owing to the brutal and repressive actions of the Israeli occupation. Adding to the already volatile situation on the ground, Israeli occupation measures against Palestinian Christians and Muslims, especially in Occupied East Jerusalem, have sharply increased tensions and contributed to a deterioration of the situation, in addition to consecrating further a reality of repression of the basic right that all faithful are entitled to: freedom of worship.

As the international community exerts all possible efforts to ensure the resumption of the negotiation process, facilitated by the tireless efforts of United States Secretary of State John Kerry, Israel, the occupying Power, continues its oppression of the Palestinian people by means of all illegal policies, including violating their basic right of freedom of worship and access to holy places.

Instead of having free access to and inside the Old City in Jerusalem, tens of thousands of Palestinians were either denied a permit or barred and obstructed by the Israeli occupation from accessing the city during this holy week, while thousands of others were confronted by barricades, military checkpoints and humiliation. This year's Palm Sunday procession in Jerusalem was overshadowed by the significant absence of the majority of Palestinian Christians, including Palestinians from Gaza, who were denied access to Jerusalem on this important day. This prompted the Latin Patriarch of Jerusalem, Fuad Twal, to declare, "My children were not with me on Palm Sunday."

This unacceptable situation peaked on Saturday, when thousands of the faithful attempted to reach the Church of the Holy Sepulchre to attend the Holy Fire ceremony. Israeli soldiers and police erected dozens of barricades that barred or delayed them from reaching the church. This included the obstruction of foreign diplomats, including the United Nations Special Coordinator for the Middle East Peace Process, Robert Serry.

Such aggressive behaviour by the occupying Power once again marred Easter celebrations and the centuries-old rituals perfumed during this week. Moreover, Israel's actions constituted yet another attempt to undermine and deny the Christian identity and presence in the city, along with the other unlawful measures it continues to pursue that target the Palestinian, Arab and Muslim identity and character of the city. These illegal measures include, but are not limited to, settlement and wall construction, home demolitions, evictions of Palestinian families, revocation of residency rights, excavations, restrictions on access to the city and the continued closure of official Palestinian institutions.

On this occasion, we vociferously condemn all Israeli measures impeding access by the Palestinian people and other Christians and Muslims from around the world to the religious sites in the Occupied Palestinian Territory and violating their right to worship freely.

While Israel persists in denying the freedom of worship of the Palestinian people, it continues to facilitate the raids of Jewish extremists on sites across the Occupied Palestinian Territory, including East Jerusalem, Hebron, Bethlehem and Nablus. For example, just today, a group of Israeli extremists headed by Likud Deputy Head of the Knesset, Moshe Feiglin, and accompanied by Israeli occupying forces raided Al Aqsa Mosque compound. The occupying forces attacked Palestinian worshippers using excessive force, including firing stun grenades and rubber-coated steel bullets, causing injury to some, and detaining others.

The blatant disrespect for the mosque and its worshippers and the continued declarations of further raids on the holy site are tantamount to grave acts of incitement, which are stoking religious sensitivities and aggravating already elevated tensions. It is also alarming that Israeli officials continue to recklessly fuel these tensions by encouraging extremists to persist with such provocations, which threaten to ignite religious conflict, with far-reaching and dangerous consequences for the region and beyond.

I would like to conclude by underscoring the importance and urgency of international action to prevent this volatile situation from deteriorating further and to ensure the cessation of Israel's deliberate violation of Palestinians' right to the freedom of worship. The international community must be resolute in demanding an end to Israel's oppression and violation of the human rights of the Palestinian people and an end to all actions aimed at illegally and deliberately altering the demographic composition, character, identity and nature of the Palestinian land it has forcibly occupied since June 1967, including East Jerusalem. The international community must send an unequivocal message to Israel, the occupying Power, that such illegal actions and provocations must cease and will not be tolerated, and that Israel is wholly responsible for the negative impact and consequences of such actions on the ground and on the regional and international efforts to salvage the prospects for a peaceful solution.

(Signed) Riad Malki
Minister for Foreign Affairs



Security Council

Distr.: General
22 April 2014

Original: English

Letter dated 21 April 2014 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council

Acting upon the instruction of my Government, I have the honour to formally submit the attached letter to the Security Council (see annex).

I should like to request formally that the present letter and the annex thereto be circulated as a document of the Security Council.

(Signed) Zeid Ra'ad Zeid **Al Hussein**
Ambassador
Permanent Representative



Annex to the letter dated 21 April 2014 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council

I would like to bring to your attention the extremely worrying developments in East Jerusalem, and in particular in the Haram al-Sharif (Al-Aqsa) compound, where Israel's illegal practices continue to provoke the national and religious sentiments of all Arabs and Muslims, and to cause tensions and continued unrest.

In recent weeks, violations and unhindered incursions into the Haram al-Sharif compound by settlers and extremists intensified under the protection of Israeli police and security forces. Moreover, Israel's police continued to attack employees of the Jordanian Awqaf department at Haram al-Sharif, blocked the gates of Haram al-Sharif and denied Muslim worshippers under the age of 50 entry into the mosque at the time of prayer, violating their right to worship.

Such illegal practices constitute a flagrant violation of Israel's obligations, as an occupying Power, under international humanitarian law, as well as article 9 of the treaty of peace between Jordan and Israel signed in 1994.

I want to highlight these alarming developments, given the Hashemite Kingdom of Jordan's role as an administrator of Haram al-Sharif and His Majesty King Abdullah II's role as the Custodian of the Muslim and Christian holy sites in Jerusalem. The continuous Israeli provocations will certainly undermine ongoing peace efforts between Palestine and Israel, which we believe in and support fully.

The international community must send a clear message to Israel that such actions and transgressions, as well as other actions in the Occupied Palestinian Territory, will not be tolerated and must stop. The attempt by Israel to create a new de facto situation in Haram al-Sharif is unlawful and will not establish any right for Israel under international law. Its position towards Haram al-Sharif remains that of an occupying Power.

(Signed) Zeid Ra'ad Zeid **Al Hussein**
Ambassador
Permanent Representative

**Security Council**

Distr.: General
22 April 2014
English
Original: Arabic

Letter dated 21 April 2014 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General

On instructions from my Government and with reference to the letter dated 3 March 2014 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (S/2014/143), I have the honour to transmit the following information:

The United Arab Emirates strongly rejects and objects to the baseless claim made by the Islamic Republic of Iran to sovereignty over the three United Arab Emirates islands of Lesser Tunb, Greater Tunb and Abu Musa in the Arabian Gulf. The three islands are under the sovereignty of the United Arab Emirates and constitute an integral part of its territory.

The United Arab Emirates wishes to state that, since the round of negotiations held between the two countries in Doha from 18 to 21 November 1995, and thereafter in diplomatic correspondence, the Islamic Republic of Iran has persistently alleged that there is a "misunderstanding" on the part of the United Arab Emirates in that regard. The United Arab Emirates categorically rejects that allegation. It has consistently maintained that the issue at hand is the continuing illegal Iranian military occupation of the islands of Lesser Tunb and Greater Tunb and the Iranian authorities' systematic and flagrant violation of the 1971 memorandum of understanding regarding the island of Abu Musa with a view to its forcible annexation under Iranian sovereignty.

In accordance with its obligation to the peaceful settlement of disputes as set forth in the Charter of the United Nations, the United Arab Emirates calls on the Islamic Republic of Iran to resume negotiations between the two countries on the basis of the elements proposed by the United Arab Emirates at the Abu Dhabi meeting of 27 and 28 September 1992 and the Doha meeting of 18 to 21 November 1995.

Those elements are as follows:

1. The illegal Iranian military occupation of the islands of Lesser Tunb and Greater Tunb should be brought to an end.
2. There should be no interference in the exercise by the United Arab Emirates of its jurisdiction over the part of the island of Abu Musa allocated to it under the 1971 memorandum of understanding.



3. All of the measures imposed by the Iranian authorities on the authorities of the United Arab Emirates and its citizens on Abu Musa in contravention of the 1971 memorandum of understanding should be rescinded.

4. The dispute regarding the three islands should be referred to the International Court of Justice if the two countries fail to reach a negotiated solution within an agreed time frame.

The United Arab Emirates wishes to establish good-neighbourly relations and cooperation with the Islamic Republic of Iran, but does not accept any encroachment on its sovereignty over its three islands of Lesser Tunb, Greater Tunb and Abu Musa.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Lana Zaki **Nusseibeh**
Ambassador
Permanent Representative

**General Assembly
Security Council**

Distr.: General
24 April 2014
English
Original: Arabic

General Assembly
Sixty-eighth session
Agenda item 110
Measures to eliminate international terrorism

Security Council
Sixty-ninth year

**Identical letters dated 22 April 2014 from the Permanent
Representative of the Syrian Arab Republic to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

On instructions from my Government, I wish to draw your attention to the following information:

I have sent numerous letters regarding the actions of armed terrorist groups the Arab, regional and international State sponsors of which are well known to all. These groups have been indiscriminately firing mortar shells at innocent civilians in Syria in order to kill the greatest possible number. On Monday, 21 April 2014, Damascus was hit by yet another series of terrorist attacks. The terrorist groups shelled several parts of the city, killing four civilians, injuring 63 others and causing material damage.

- The terrorists fired three shells at the area around the Dar al-Salam School and the Salihyah quarter, killing two civilians, injuring 35 others and causing material damage. The names of those killed and injured are given in the annexed list.
- Two civilians and 23 others were killed in a terrorist mortar attack near the Thaqafi Mosque in the Bab Tuma quarter.
- A civilian was injured when terrorists fired five shells at the Khazn and Dawaminah squares in Suq al-Hal, in the Zablalani quarter.
- A woman was injured when terrorists fired four shells at the Mashatil al-Zira'iyah quarter off the Adawi highway.
- Terrorists detonated an explosive device that they had affixed to a taxi parked near the Khalid ibn al-Walid Mosque in Dummar, Damascus, causing material damage in the area.



On the same day, terrorists fired three shells at the As al-Gharbi and Kashkul quarters of the town of Jaramana, Rif Dimashq governorate, injuring a woman and causing material damage.

Terrorists also targeted the city of Homs, firing missiles at the villages of Umm al-Sarj and Kafr Nan in the Rastan countryside, killing three civilians, including one girl, injuring others and causing material damage. Terrorists also shelled the Zahra' and Sabil areas and the Homs-Tripoli road, killing a civilian and injuring three others.

The Syrian Arab Republic calls on the United Nations Security Council and Secretariat to condemn those terrorist organizations and their savage actions; condemn the support they receive from certain well-known States, some of which are members of the Security Council; and take the necessary measures to tackle the roots of terrorism and its sources of support.

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 110, and of the Security Council.

(Signed) **Bashar Ja'afari**
Ambassador
Permanent Representative

**Annex to the identical letters dated 22 April 2014 from the
Permanent Representative of the Syrian Arab Republic to the
United Nations addressed to the Secretary-General and the
President of the Security Council**

**List of civilian victims of the terrorist attack on Abid Street in the
Salihiyah quarter of Damascus**

Ahmad al-Mur'i and Mustafa Muhammad were killed. The following persons
were injured:

Riyad Qaddah, Ayman Sabbuh, Rawwad Khalluf, Samir Faddul, Mazin Abbas,
Abdulsalam Ghabbur, Abdullah al-Midfa', Abdulwahhab Salim, Ala' Jayrudi,
Rami al-Suwayri, Halah al-'Abd al-Muhsin, Wasim al-Lahham, Adham Kharsah,
Rasha al-Malih, Asif Zaydun, Daniyal Haidar, Hani al-'Abd al-Muhsin, Rabi'
Mudallal, Isam Misrabi, Sumur Ghali, Muhammad Kasim al-Misri, Mahir
Khaddam al-Jami', Jayan Ali, Sarah Yusuf, Abdulsalam Malis, Ra'id Ibrahim,
Tariq Wannus, Ahmad Barniyah, Muhammad Taha Sharikh, Rawan Ammar,
Ala'uldin al-Humsi, Mansur Ahmad, Ayman Barhum, Ali Salamah and Yahya
Uways al-Ahmad.



Security Council

Distr.: General
24 April 2014
English
Original: French

Letter dated 22 April 2014 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to forward herewith the observations and views of the Government of Côte d'Ivoire about the ongoing negotiation process pertaining to the renewal of the sanctions on Côte d'Ivoire, in the framework of the implementation of Security Council resolutions, including resolution 1572 (2004) (see annex).

I should be grateful if you would have this document and its annex circulated as a document of the Security Council.

(Signed) Youssoufou **Bamba**
Ambassador
Permanent Representative



Annex to the letter dated 22 April 2014 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

Position of Côte d'Ivoire on the need to review the sanctions regime established pursuant to Security Council resolution 1572 (2004)

I. Positive developments in the situation in Côte d'Ivoire

1. The improvement in security in Côte d'Ivoire is reflected in the security index, which has gone from 3.8 to 1.2.
2. Strong economic growth of 9.8 per cent in 2012; the country has democratic institutions whose membership has been renewed following peaceful nationwide parliamentary and local elections.
3. Genuine reconciliation resulting from the mandate of the Dialogue, Truth and Reconciliation Commission and the adoption by the Government of sweeping measures to consolidate national reconciliation: return from exile of members of the previous regime, and return and reintegration of over 4,000 of the former regime's soldiers and militia members.
4. Ongoing and continuous return of refugees from Liberia; freedom for the opposition to be politically active throughout the country.
5. Efforts to combat impunity through the renewal of the mandate of the special investigative unit.
6. Consolidation of good governance through the signature on 15 April 2014 of the decree establishing the High Authority for Good Governance.
7. Adoption by the Government of a bill on the new Independent Electoral Commission, to be made up of 13 members instead of the previous 31, and due to start work in June 2014. The new Commission will have equal numbers of members from the opposition, the governing party and civil society.
8. Ongoing implementation of the disarmament, demobilization and reintegration programme under the supervision of the Authority for Disarmament, Demobilization and Reintegration, which is funded by many partners and aims to complete the process before the presidential election of October 2015.
9. Acceleration of the process of security sector reform with the establishment of the National Security Council, the adoption of the national security sector reform strategy, and the setting up of the main military commands.
10. Redeployment of the government administration across the entire country.
11. Adoption of a national development programme to foster balanced and harmonious development of the country.

II. Aims and objectives of sanctions on Côte d'Ivoire

Côte d'Ivoire does not understand why sanctions remain unchanged three years after the end of the crisis.

- United Nations sanctions should not endure indefinitely: it must be possible to change them as and when progress is made and the national peace, reconstruction and reconciliation process advances.
- Sanctions must encourage a State to do better and not hold it back: the purpose of sanctions must not be to punish a sovereign and independent State.

Developments in the country and its reconstruction since President Alassane Ouattara came to power, and his support for peace and security in the subregion, are such that the time is now ripe for a review of the current sanctions regime.

Furthermore, given that there is no longer any fighting in Côte d'Ivoire, its institutions prevent it from being considered a failed State, and there is an absence of warlords and terrorist ideology in the country, the sanctions regime cannot continue without dangerously destabilizing the nation and threatening the foundations of its security, especially now that the United Nations Operation in Côte d'Ivoire is about to begin its withdrawal, at the President's request and because of certain external constraints.

III. Key elements of the sanctions regime review requested by the Government of Côte d'Ivoire

A. Arms embargo

It should be made clear from the outset that the highest authorities in Côte d'Ivoire are not requesting a complete lifting of the arms embargo.

However, Côte d'Ivoire is asking for a readjustment or loosening of the sanctions regime to enable it to complete the security sector and defence sector reform processes. Accordingly, Côte d'Ivoire is asking for:

1. An end to the embargo on the import of military and security (protective) materials and equipment known as "non-lethal" equipment (namely, vests, police and army uniforms, protective and camouflage garments, belts, gas masks, bags (pouches), ropes, earplugs, ribbons, camouflage netting and fabrics, paint, stretchers, straps, chest rigs, climbing equipment, boots, gloves, handcuffs and the like).
2. No change to the notification (information) procedure for transfers of small arms (firearms, revolvers and automatic pistols, rifles and carbines, machine guns, assault rifles, light machine guns and the like).
3. No change to the pre-authorization procedure for transfers of heavy weaponry (namely, portable anti-tank rocket launchers; rockets; anti-tank light weaponry; rifle grenades and grenade launchers; surface-to-air missiles, including man-portable air defence systems; mortars with a calibre greater than 82 millimetres; guided anti-tank weapons, in particular guided anti-tank missiles, and ammunition and components therefor; armed aircraft; and the like).
4. The drawing up of a list of military materials and equipment subject to pre-authorization by the Security Council and annexed to the future resolution (the aim being to avoid differing interpretations by States members of the Council).

B. Embargo on the export of Ivorian diamonds

Having complied with the minimum requirements of the Kimberley Process Certification Scheme, Côte d'Ivoire requests the lifting (cancellation) of all measures banning trade in Ivorian diamonds.

IV. Necessary review of the parameters or criteria for evaluating the implementation of the sanctions regime

Côte d'Ivoire is requesting that the resolution contain a number of clear and transparent operational criteria (verifiable actions, activities and training courses defined in close cooperation with the Group of Experts) enabling all parties concerned to evaluate advances in the implementation of the disarmament, demobilization and reintegration programme, the security sector reform process, the national reconciliation process and efforts to combat impunity.

The adoption of such criteria could be the best way to avoid divergences between the Government and the Security Council with respect to the interpretation of the situation in Côte d'Ivoire.

Abidjan, 21 April 2014
